THE SATURDAY EVENING POST

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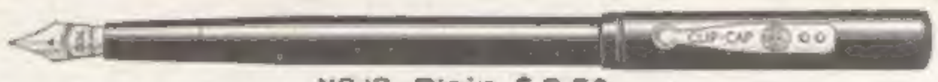
BEGINNING A NEW SERIES

By
EMERSON HOUGH



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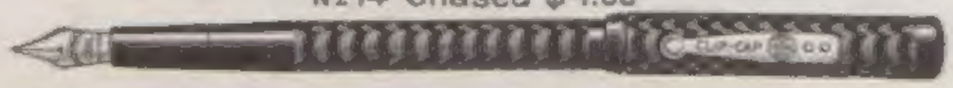

EVOLUTION OF THE TALKING MACHINE

This building, containing the Executive Offices and Motor Factory, is the newest addition to the plant of the Victor Talking Machine Company.

Warehouse and Shipping Department for the finished product of the Victor Talking Machine Company.

Photographic Enlargement of Victor Disk Sound Waves.

Caricature of Caruso drawn by himself singing to a Victor Talking Machine.

SOUND is least understood of all the things which have baffled the brains of science. It is known that sound consists of vibrations or waves of air of greater density than the surrounding atmosphere, radiating from a common center of agitation like the concentric wavelets caused by dropping a pebble into a pool. But the laws which govern the vibrations and the exceptions under which they are modified have remained one of the inscrutable mysteries of nature. If an architect be asked to build an auditorium in which speech or music can be heard to advantage he does not know how to go about it. The auditorium when completed may have good acoustic properties or very bad; it is all a matter of luck. At Woodside and at Willow Grove Park in the suburbs of Philadelphia there are two band shells identical in size and design, planned by one architect and built of like material by the same carpenter. In one the acoustics are superb; in the other atrocious.

But inventive genius has at last stumbled upon a clue which promises to lead to the solution of the mystery of sound.

The clue is the talking machine.

It is as true as it is paradoxical that while the evolution of the talking machine is leading to a comprehension of the laws of acoustics that evolution has been possible only through a working knowledge of these same laws. Emil Berliner, the telephone inventor, cleared the way for achievement about twelve years ago when he produced a queer contrivance which he called the "gramophone," that possessed the remarkable power of receiving sounds and repeating them again at the will of the operator. A lively imagination could even fancy that it recognized in the gramophone record the particular voice which had made the sounds.

Eldridge R. Johnson, of Philadelphia, saw that Berliner's gramophone contained the vital principle through which alone the perfect talking machine could be produced. He also saw, or thought he saw, great commercial possibilities in the idea. So he purchased Berliner's patents, and with Leon F. Douglas, his brilliant Vice President, set to work to develop the talking machine. Possibly if he had realized the magnitude of the difficulties he was to encounter he might have left the undertaking to some one else.

Berliner had started in the right direction by evolving the theory that the right way to make a talking-machine record was on a flat disk instead of on a cylinder, because the stylus which writes the sound waves can only move up and down, or in and out of a cylinder. The deeper the stylus goes into the cylinder the greater the resistence it meets, so that there is always a tendency to cut short notes of a certain kind with the inevitable result that they are imperfectly rendered. On the other hand, a stylus which has only to swing from side to side has perfectly free play, for it meets exactly the same degree of resistence at every part of its movement. The laterally-moving stylus is thus able to record all shades of all tones with equal facility.

Perhaps this may be clearer if it be borne in mind that when sound is recorded by a talking machine the vibrations are caught in a bell-mouthed horn and poured through its little end, like water through a funnel, into a round box, the size of a five-cent box of blacking, filled with air. The outer lid of the box is a diaphragm of mica but 4-1000 of an inch thick, or about the thickness of a sheet of writing-paper. Attached to the center of this diaphragm by a dainty dab of cement is a delicately adjusted needle or stylus. When a sound wave is poured through the receiving horn against the cushion of air the diaphragm and the stylus attached to it are caused to vibrate in exact accord with the wave. The vibrations of the stylus are traced upon a plastic disk which revolves at a fixed speed in contact with its point, making an irregular spiral line. When the disk is filled with this spiral record it is called a "master record." It is hardened by a secret process, after which endless copies may be taken from it by another secret process. When one of these copies is placed in a talking machine and the stylus is caused to retrace the spirals, it vibrates exactly the same number of times per second as it did in making the lines. These vibrations are communicated through the diaphragm to the air cushion, thus repeating the sounds which were poured into the horn. Why? Well, some day after they have learned a great deal more about acoustics than any one now knows, perhaps the talking-machine experts may find out.

Meanwhile the above greatly enlarged photograph of a small section of a talking-machine record, which shows all that the inexperienced eye can hope to see of the mysterious tracings, may be found interesting. Those simple lines happen to be a photograph of a song by Melba. If the record were placed in a talking machine it would become the song itself in the living voice of the prima-donna.

Once the fundamental principle was pretty well understood the next step was to produce a motor to run the talking machine, so carefully regulated that it could be as absolutely depended upon as a chronometer, for any variation in speed causes a discord. Next it was necessary to learn at a cost of infinite experiment the exact size, shape, material and method of construction of the arm which connects the horn with the sound-box. Here, as elsewhere, trifles seemed to have an effect out of all proportion to their apparent importance. It was finally found that the best results could be obtained with an arm stamped out of a single piece of brass and swaged into shape without joint or seam. Other details in the seemingly simple mechanism which the inexperienced eye would never notice were worked out at the same high cost of time and toil, until at last the evolution of the talking machine had reached a stage where the product was considered worthy to make its public début as the Victor Talking Machine, under the auspices of the Victor Talking Machine Company, of Camden, New Jersey, of which Mr. Johnson is President, and Leon F. Douglas Vice President. While the Victor Company was developing the talking machine it was frequently obliged to fight legal battles to defend its rights in its many patents. These rights have been fully confirmed to the Victor Company, however, and their position today is well-nigh impregnable.

Inexhaustible patience and hypercritical pains were found to be as necessary in the making of Victor records as they were in the production of the talking machine itself. Every record is made in the presence of two, and often three, of the ablest musical critics in this broad land. If a reed squawks, or a trumpet blares, or a cornet piston sticks, or a singer accents a vowel in a high register, everything is stopped instantly, fresh disks are put in and a new beginning is made. Think of stopping Sousa's famous band right in the middle of a brilliant passage and compelling it to play the entire selection over again! No audience ever assembled would dare do such a thing, yet Sousa's band has been obliged to play one composition over four times before the talking machine would accept it as satisfactory. Even when the selection is rendered to the satisfaction of the jury of musical critics the performer is not excused until the record has been copied and played over several times, for the talking-machine record is more sensitive than any human ear and it may call attention to a fault which may necessitate the making of a new record. The other day a record of "The Angelus," played by the famous Victor Orchestra of twenty-three members, every man an artist, was rejected, because the talking machine revealed the fact that the second clarinet had run short of breath and skipped two notes. The fault was so trifling that even the musical jury had not noticed it at the time. Certainly the ordinary listener never would have detected it. It was necessary to have "Dear Old Georgia," the latest popular song craze, sung no fewer than fifteen times before the musical jury would accept a record as satisfactory. Nothing is ever accepted as "good enough"; every record must be the best that can be produced.

Such hypercritical care may seem to the outsider altogether unnecessary, yet it is the secret of a success which seems incredible. It looks like a deliberate sacrifice of one's reputation for veracity to assert that the specialists employed around the shops and laboratory not infrequently mistake the talking machine for the human voice, yet the assertion is true.

Melba, Sembrich, Homer, Calvé, De Lussan, Caruso, Scotti, Plançon, Campanari, Gadski, Ballistini, De Lucia, Crossley, Nuibo, Blauvelt and other famous stars have sung, and Kubelik and Maud Powell, the violinists, have played to make Victor records. It seems reasonable to assume that none of these great artists would have been willing to have their names connected with a talking-machine record unless it was a worthy reproduction of their actual voices, even when tempted by an offer of $35,000 for thirty songs, which was the price at which Caruso was secured. Melba didn't think the talking machine could amount to very much. But when she had been induced to listen to records by Sembrich and Caruso she went so far as to say that it might be a nice thing to send some of her best songs to her father in Australia. When she heard the records played she was so delighted she readily gave her consent to their sale—(for a consideration which made it necessary to set a price of $5 each on them). Kubelik played a violin obligato for Melba while she sang Gounod's "Ave Maria." When the Melba records reached Australia they were played to a delighted audience of four thousand persons, which included the best society of Melbourne.

Tamagno, the greatest of all tenors, is dead; but his voice still lives. An operator was sent to Tamagno's estate at San Remo to get some records. It required fourteen days to secure ten songs, for the great tenor would sing only what and when he chose.

Nordica paid the Victor Talking Machine the most beautifully poetic tribute it has ever received when she said:

"No, I cannot sing for the talking machine. If I were to have my voice recorded by it I should feel as if I were giving up a part of my soul."

When Pope Pius X decided to revive the use of the Gregorian chant the entire mass, by order of the Gregorian congress, was recorded by the Victor Talking Machine, and the records were sent to all the Catholic churches and institutions of the world that they might have in absolutely correct form the true liturgical music.

A prominent member of the American Dancing Masters' Association was engaged to give the correct tempo while a more notable assemblage of musicians than were ever before gathered for such a purpose played several long programmes of dance music. The records are quite loud enough for dancing and are already extensively used for that purpose, for they afford a far higher grade of music than was ever before available for dancing.

Patti, Calvé, Eames, Jean de Reszke, Melba, Sembrich and many other great artists, the Kings of England, Greece and Spain, the Emperors of Germany and Russia, and the Presidents of France and of Mexico, are all talking-machine enthusiasts.

It might reasonably be supposed that such an extraordinary popular and artistic hit as is shown in the story of the talking machine would be accompanied by a somewhat spectacular commercial success. But it does rather stagger one to learn that, starting practically at zero four years ago, the sales of Victor goods throughout the world have already reached the amazing total of $12,000,000 a year.

So great is the demand, in fact, that the one thousand employes housed in three buildings, with a total floor area of six acres, in Camden, New Jersey, to say nothing of a large laboratory and a cabinet shop in Philadelphia, an auxiliary plant in Newark and outside firms in New York and Hartford which manufacture special parts, find difficulty in supplying it. Yet only four years ago the Victor Talking Machine plant consisted of one corner of a little old machine shop doing a miscellaneous business in Camden, and it wasn't overcrowded at that. The entire plant was run by a twenty-horse-power engine; today one thousand horse-power is not sufficient.

Already the Victor Talking Machine is a scientific instrument through which great singers may have the whole world for an audience, and through which the present may speak in living accents to posterity. If the rate of evolution of the talking machine for the past four years be continued through the next decade what secrets may not be wrested from nature?

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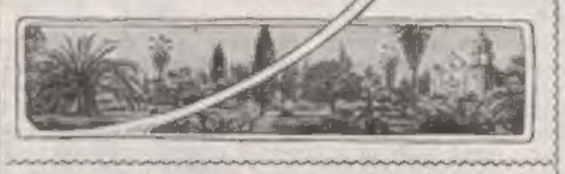

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A Look Into 1906

THIS is no extended forecast, no bird's-eye view of a long campaign: it is just a quick glance into the nearest future. For here are but two narrow columns in which to tell what THE SATURDAY EVENING POST means to do during the biggest twelvemonth of its one hundred and seventy-eight years. We believe, and our experience has proved it, that the best advertisement of this magazine is—any weekly number. But, though detailed analysis is impossible, we do want to tell our readers and subscribers about a few of the chief plans of THE SATURDAY EVENING POST for the first few months of that year which marks the two hundredth anniversary of the man who founded it.

Edwin Lefèvre's New Novel

For many years it has been acknowledged that no other writer on finance pure and simple possessed Mr. Lefèvre's technical knowledge and intellectual grip of the money market. A life of training had made him an authority on its conflicting tides, and an extended acquaintance had made him the personal friend of its greatest mariners. It remained only for him to show that what he had done in articles and short stories he could do again in dealing with a vital, living subject, a real drama of the Street—with love and hate, ambition and cowardice, hope and despair, success and failure, the passion for right and the greed for gold. What he can thus do he has shown in this novel which is to be our next serial. The result puts Mr. Lefèvre in the front rank of contemporary novelists, because it is a powerful picture of the American in the throes of a dramatic situation typical of his own land.

Robert W. Chambers' New Stories

No living writer can make the sudden love affair quite so convincing as Robert W. Chambers. None can create heroes more clean or more manly; few can present us to heroines more natural and yet more charmingly piquant and unusual. Nor was Mr. Chambers ever in better mood than when he invented for THE SATURDAY EVENING POST that Sherlock Holmes of love, the head of Keen & Co., Tracers of Lost Persons. Here is a detective who puts his powers to some real use—not to the detection of miserable criminals, but to the running down of the heart's desire. The situations are unique; the conversation, like every line of conversation Mr. Chambers writes, is brilliant; the humor is wholesome and the sentiment tender. And because all this is but the frame for such portraits of such lovers as only Mr. Chambers can paint, the whole effect of the series is as delightful as anything he has yet done.

Owen Wister's Stories of the Far West

Owen Wister's ability to create character made him famous in The Virginian. His growth in the art of writing has placed him among the first of modern novelists in Lady Baltimore. The first book was of the rude West and the second of the polished South. What the now thoroughly developed artist can do upon returning to the Rockies becomes, naturally, one of the literary questions of to-day. The answer will be given in six short stories to be published in THE SATURDAY EVENING POST. The Virginian was the actual West seen dramatically by a keen but emotional vision; these stories are the same West seen still more dramatically by a vision quite as keen, but thoroughly sophisticated.

F. Hopkinson Smith's New Series

In the best sense of that word, geniality is the keynote of all F. Hopkinson Smith's best work. And it is his best work which he has put into the new series of stories which he has written for POST readers. The narrative smiles—and glows. Its humor is always kindly; even its satire is tolerant, and a more satisfactory sum total it would be difficult to imagine.

More of Billy Sanders

Joel Chandler Harris is probably one of the few living authors who have the certainty that two of the characters they have created will join the company of those "real persons" of fiction who will live as long as the language which clothes them. These two characters are Uncle Remus and Uncle Billy Sanders, the humorous sage of Shady Dale. It is about the latter that Mr. Harris has written his latest series for THE SATURDAY EVENING POST, and a more amusing series he has never written.

The Cry of the Children

With the publication of The Woman Who Toils, Mrs. John Van Vorst became at once a figure of prominence. Now Mrs. Van Vorst has been investigating for this magazine the question of child-labor. She has gone down into the mills; has been a part of the life of their people. Mrs. Van Vorst's brief is for the children: it might well be called The Slaughter of the Innocents.

Articles by the Hon. John S. Wise

As our readers know, John S. Wise has had for his friends about all the prominent men of the last two generations. They have been real friends, not merely official or political acquaintances. Mr. Wise has dined at their houses and they at his—Presidents, statesmen, Senators, Supreme Court Judges, famous actors and noted wits. It is about such men—about how he met and knew, ate and drank and hunted and worked with them, that he will write for THE SATURDAY EVENING POST.

OUR BOOK OFFER

These are some of our plans—but only a few. However, space presses and here one need only add a word calling attention to the really remarkable offer which THE SATURDAY EVENING POST makes at this season—three Christmas presents of the best sort for $2.50. If you will send $2.50 to The Curtis Publishing Company for two yearly subscriptions to THE SATURDAY EVENING POST (one of them may be a renewal of the sender's own subscription, and one *must* be a new one) we will immediately forward your choice of the six $1.50 novels named below:

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WILLIAM TRAVERS JEROME

The Man Who Believes in a Square Deal, and Who, the People Believe, Will Give it to Them

BY ARTHUR TRAIN

ABOUT nine o'clock any work-day morning if you happen to be near the crowded East Side corner where Canal Street, Rutgers Street and East Broadway pour their streams of heterogeneous pedestrians into Seward Park, you may see a muscular, square-shouldered man in a brown ready-made suit and black felt hat coming briskly down the steps of a tenement-house. The great Jewish quarter has been up and doing for hours, and the sidewalks are thronged with buyers and sellers—Italians, Russians, Poles, Bulgarians and Germans. The square-shouldered man turns into Canal Street and joins the procession moving westward toward the "heart of toil." It will pay you to take a good look at him—just as the others are doing.

With hands in the pockets of his short reefer coat, hat pulled slightly over his eyes, head straight to the front, he moves at moderate pace with a preoccupied look on his firmly-cut features. He might be anybody, from a boss machinist to a space-writer on a big daily—a dealer in sporting goods or a mining expert from Telluride. From the look of his calloused fingers, as he lights a cigarette at the corner, your first guess would be for the machinist. There is a bit of finger missing. A glance at the alert, aggressive profile and you might hedge in favor of the journalist. As he speaks to the officer at the crossing, you might again hesitate between the sporting man and the miner. If you were the person addressed, you might take him for a—well, it would depend a good deal on what you had been doing for the last sixty days.

As he shoulders his way among the crowd, why does that copper draw his heels together? Why does that "orthodox" butcher leave his cut of kosher meat and go to the door of his shop to gaze after the athletic but unassuming pedestrian? Why does the big girl stop teasing the little boy? Why does the swarm of "kids" suddenly cease to badger the bearded push-cart man? Why? The square-shouldered man doesn't see them—he is thinking. But they all see *him*.

"Siest du ihn, kindchen?" whispers the mother to her baby on the threshold of the tenement-house.

"Dere's the district attorney; he vas a friendt of mine," boasts the Jew outfitter to one of his early customers.

"Hi, there!" shouts the schoolboy to his fellows. "There's *Jerome!*"

William Travers Jerome

The square-shouldered man turns down Centre Street to the Criminal Courts Building. He is thinking very hard—he does not see anybody.

"Good-morning, Judge!" grins the officer on post as he "holds up" a bridge car to let the man in the ready-made clothes pass safely across.

"Hello, Bill," replies the other. "How's the missus and the kid?"

"Doin' fine, thank you," responds Bill, beaming proudly at the motorman. Then the square-shouldered man starts thinking again. A delegation from the Amalgamated Something-or-Other is waiting to lay its grievances before him—will want to know why he never hammers the employers, and is always pounding the walking delegate. He will have to deliver a law lecture in the vernacular. Perhaps they'll see the point, perhaps they won't. Anyhow, he must snatch time to run up to-morrow to Albany, and see that his bill extending the bribery statute so as to include employers who attempt to influence labor representatives is not killed "in committee."

The elevator man greets him affectionately, so does the grizzled officer on duty in the corridor, so does the messenger in the outer office. They are all glad to see him, to receive his peremptory but always good-natured orders. When they are in difficulties, when they are in doubt as to some choice of action, they go straight to "the judge" for his advice. One of them gave up a chance to become a member of the State Assembly to remain on duty with Jerome—not a small thing to a young Tammany man with his political way to make.

Jerome throws off his reefer coat and squares away to work at his desk. As he runs rapidly through his pile of mail, dictating replies to his stenographer, one by one the members of the professional staff drop in for a morning greeting or to get their orders for the day. If you listened you might hear something like this:

"What's this? An invitation from the Ironworkers' Union to address them next Sunday at Männerchor Hall? Tell 'em I'll be *there*. Yes, and will answer any questions they want to ask. . . . *Hello*, Jack! Well, how's 'the Part' going? Knocked out twenty-four cases yesterday? Good work! Keep it up. We must keep those calendars right down to rock bottom all the time. How's Jones doing? Tried his first case yesterday? Keep him at it. He's a good boy. Comes of the right stuff. By the way, I want you to take up this Dugan matter. That old rascal has disfigured the district bench long enough. We must get rid of him. Put it right through! (An officer enters.) Amalgamated fellows? All right. I'll see them in a minute. And ex-Judge Findlay, of Rochester? Show him in. . . . How are you, Judge? Yes, we try to be good to ourselves. We're still able to take nourishment. Lunch with me at Pontin's at one? Good! Old Brown, of the World, will be along, and that fellow that writes—what's his name?—Mr. Dooley. See you at one, then. (Messenger enters.) Yes. Tell the Governor I'll lunch with him to-morrow at the Ten Eyck with pleasure. (An assistant district attorney bursts in on the run and presents a question of law that must be answered in a hurry.) By George, 'Mock Duck' (the assistant's nickname), that's rather a hard one to hand out to a man at this time in the morning: 'Is an exculpatory dying declaration rebuttable by contradictory statements made on other occasions not under oath and not in fear of death?' Hm! Why, there's a decision on that. Look in the Federal Reporter for 1895. *Sure*, you can rebut it! . . . Well, Dick, what's doing in Special Sessions? Keep an eye on that case of McCarty's, 'Impersonating an officer.' He's a bad one. (Presses a bell and clerk comes in.) Send for Mr. Suffolk, and tell him I want to see him about the sentence in the Hanrahan case. Now, boys, get out, and let me handle this Amalgamated gang!"

This is the way the genial, warm-hearted, fearless district attorney of New York County does his work. In his office from nine-thirty in the morning until five-thirty or six o'clock in the afternoon, interviewing a constant stream of complainants, witnesses, friends or relatives of convicted prisoners, "delegations," lawyers, district attorneys from other States and jurisdictions, the current of his activities is only diverted by hurried elevator trips downstairs to the four big courtrooms to argue motions, "appear" on sentences, and render timely aid to his assistants in the various exigencies of criminal trials. No wonder he has aged in his four long years of service—no wonder that there are wrinkles in his forehead that were not there before, and that the brown hair is turning slightly gray.

Jerome's most striking characteristic is perhaps his aggressive honesty. He never minces his words, never hesitates to speak his mind whether it be to a political boss or to an audience of ten thousand people. Any other man would have extinguished himself forever by his daring utterances long ago. If there is an inopportune occasion for speaking the truth, it seems as if Jerome always selects it. There has never yet been a time when Jerome's friends were hoping great things for his own advancement that he has not made some savage attack on some prominent official or influential citizen in such a way as apparently to court political extermination. Witness his declaration during the New York municipal campaign of 1901, that William C. Whitney, Thomas C. Platt and another had met to plot his defeat—Platt, the boss of the Republican party which had nominated him! Whether he was right or wrong in his surmise, the people felt that here was a man who was afraid of nothing, who was bound to have out the truth whatever the personal consequences to himself might be—and they gave him their votes by tens of thousands.

Witness his speech at Chautauqua this summer, at a time when, after four years' unimpeachable service as a public officer, it was practically a foregone conclusion that he would be renominated by both the Republican and Democratic parties. He believed that the time had come for the people to throw off the yoke of the bosses. The

coöperation of the Republican machine was essential to the success of any fusion movement in New York City. Yet on the rostrum of Chautauqua, in a speech read all over the country, he bitterly assailed the iniquities of the bosses as exemplified by Odell and Murphy. The result—a conspiracy to "do" him; the loss of the nomination; apparent political extinction. Yet he had no sooner set up his standard of independence, and called upon the people to demonstrate their political freedom, than a tide of enthusiasm swept the city and did not stop until it had rolled over the country from Long Island to the Pacific Coast. Now it is "Jerome, the Boss-Killer!"

A question one hears frequently is: "Does Jerome know any law, or is he merely a fighter?" Emphatically he is a lawyer, first, last and all the time—a *fighting* lawyer, if you will, but one who combines a thorough knowledge of law as a whole, and extraordinary attainments in his own department, with an unusual capacity to see all sides of a question at one and the same time, and with a remarkable rapidity and accuracy of thought. It is as a lawyer, the "Lawyer of the People," that Jerome has performed his greatest services for the citizens who elected him to office.

There are all kinds of prosecutors. There is the vegetable-like variety of "organization" district attorney, who prosecutes only such unaffiliated and impoverished unfortunates as commit crime under his very nose, has a hide-bound regard for current newspaper opinion, a subservient respect for the wealthy and powerful, who is as difficult of access to the lowly as the Grand Lama of Tibet, and who in other and less obvious ways conforms to popular tradition. Then there is the spectacular prosecutor of fiction and sometimes of reality, who, with foam dripping from his relentless jaws, hounds the guilty and innocent alike to prison, the bulldozer of grand juries, the inventor of diabolical schemes to make every "wrong" a *crime*, and to entangle every indicted man in such a mesh of dubious and incompetent evidence that escape is impossible—a prosecutor whose every appearance in the forum is signalized by a cry for vengeance and for the infliction of the extreme penalty of the law; the trier of "star" cases, the ranting orator of the courtroom.

Better than "Getting a Verdict"

BUT a prosecutor who fully appreciates his oath of office realizes that he is there, not only for the purpose of seeing that no guilty man shall escape, but also that no innocent man shall be convicted; that he occupies a position of trust and owes a duty to every citizen of the community, whoever he may be, whether a complainant, a witness or a defendant in a criminal case; that he should ask no indictments of the grand jury unless the offense is within the law, and should prosecute no man where there is a reasonable doubt of his guilt; that an honored name may be dragged in the gutter and its bearer ruined forever by the mere *charge* of crime; that poor men have often inefficient and unlearned counsel; that complainants are often vindictive and unscrupulous, and judges often ignorant of the true inwardness of the cases which are tried before them; that his ear should be open to the cry of the rich and poor alike, and that it is frequently the poor who most need his help; and, finally, that, as the "People's Lawyer," it is his business where the laws are defective or insufficient to effect, if he can, remedial legislation.

This has been Jerome's ambition and Jerome's achievement. From the moment that he entered office and gathered about him thirty young lawyers unbacked by political influence and selected upon their merits (to whom, as he has repeatedly said, he intrusts his honor every minute of the day), he has made it his business to give every man "a square deal," by holding himself ready at any time, day or night, to listen to the complaint of any citizen who honestly thinks he has a grievance, to give him the best advice and assistance in his power, and to see to it that he gets an adequate hearing before the proper authorities.

He is frequently interrupted at his evening meal by some poor woman or humble East Sider with a tale of police oppression, illegal eviction or immediate distress, and he straightway leaves his unfinished dinner, puts on his coat, and sallies forth with the applicant to the nearest police station, or to the scene of the illegal eviction, to do what he can to right the wrong that has been done, and see that fair play is given. No wonder the East Side believes that a prophet has come to Israel.

His days are spent not in trying "star cases" before "special" juries or in adding to his reputation in the appellate courts, but sitting in his office listening to the complaints which are brought to him, whether by the poor cobbler of Cherry Hill, the little seamstress of the tenement, or the Wall Street magnate. Each takes his turn. Go to Jerome's office any day in the week and, like as not, you will find a delegation from some association in the corridor, an up-State politician, an ex-prosecutor from some other jurisdiction, a Tammany Hall leader and a Jew pedler sitting side by side upon the "mourners' bench," awaiting, on equal footing, an opportunity for an interview, while at his desk, surrounded by members of his staff with important communications for his private ear, or seeking for advice in some ticklish case, the district attorney *holds them all up* that he may listen to the tale of some poor little woman whose only son has been, as she thinks, unjustly convicted and sent to "The Island." He hears her out in full, summons the assistant best qualified to investigate the case, courteously escorts her from the office, and then the banker, the pedler, the walking delegate or the ex-convict each takes his turn.

Never a Play to the Grandstand

IT IS as a lawyer simply that Jerome sits day after day in his office, studying the questions presented by intricate commercial frauds, the mismanagement of corporations, the complex problems of jurisdiction and extradition, and by the malfeasance in office of public officials.

It is a complete answer to those who charge that Jerome is "spectacular" that he is never misled into ill-advised or unwarranted proceedings by any mere desire to prosecute. Time and time again the press and the public have clamored for prosecutions of corporations and individuals, which proceedings Jerome as a lawyer knew to be beyond the scope of the criminal law, yet by initiating which he might well have added to his reputation as a fearless official and gained popular applause. A less scrupulous district attorney would have seized with avidity upon these opportunities.

When the terrible disaster in the New York Central tunnel took place the papers insistently demanded the indictment of the corporation and its directors for manslaughter. The "yellow press" pictured a stream of prosperous, well-fed notabilities marching with cropped hair and coats of many stripes toward Sing Sing, headed by Chauncey M. Depew, William K. Vanderbilt and others. What a cheap play it would have been for Jerome to satisfy a natural inclination and win popular favor by indicting these gentlemen for manslaughter, without regard to the dictates of his conscience! And when the trial judge had taken the case from the jury, on the ground that the evidence was insufficient, Jerome could have shrugged his shoulders and assured the public that *he* at any rate had done all that *he* could *to send the criminals to jail.*

But Jerome knew, even if the public did not, that the directors were *not* guilty of manslaughter. It was true that the condition of the tunnel was such that it was a menace to the community and a public nuisance, owing to the frequent obscuring of the signal-lights by the smoke which collected in it. The accident might well have resulted from this cause, and had it *in fact* so resulted Jerome would have been the first man to demand the indictment of the directors for felony. But it so happened that on the day of the accident the signal-lights were *not* obscured and were *clearly observable*, and that the accident was the result, not of the condition of the tunnel, but of the carelessness of the engineer.

Jerome refused to ask for an indictment where no crime had been committed. With his customary fearlessness, and in spite of the scathing comments of the press, he refused to take the course which offered least resistance and to commence any groundless prosecution. Again and again he *did* demand that the grand jury indict the directors of the New York Central for maintaining a nuisance, but each time the grand jury refused.

When, however, a wrong has been committed which comes within the scope of the criminal statutes, Jerome prosecutes it to the end, whether such prosecution is attended with popular applause or execration. He believes that every law should be enforced or wiped from the statute-books, and he stops at nothing within the law to achieve the punishment of crime. Indeed, one member of the bar has facetiously remarked that "Jerome has made crimes of acts which have hitherto been regarded as virtues."

Jerome's greatest services have been as a lawyer, but more specifically as a procurer of effective legislation. He is not a man who is content to sink back in his chair after an unsuccessful prosecution and say: "The present state of the law is such that cases of this sort are practically hopeless"; or: "If we had a law which covered this kind of thing properly, we might accomplish something." Instead, he clenches his fists and exclaims: "The law is useless as it stands! The next legislature must pass a bill that will cover every aspect of this miserable business, so that I can put these rascals in jail." And then he sits down and drafts a bill which at the next session of the legislature becomes law, and the "rascals" do go to jail.

Jerome is a mighty constructive force. Examples of what he has accomplished may be seen in the Canfield Bill, personally drafted by himself, which compels the testimony of witnesses in gambling cases who decline to answer questions put to them on the ground that their answers may tend to incriminate them. These gamblers are shrewd fellows. You can tell in what direction the wind is blowing by listening to the offerings of the bookies on the curb during the course of a municipal election. A little while ago they were betting three to one on Jerome. The day after the Canfield Bill became law, "Honest" John Kelly called up Jerome on the telephone and asked for an appointment. Jerome gave it to him.

"Judge," said Kelly as he stepped into the office and removed his hat, "you've got us pinched, and I want to get on the band-wagon. Shall I send down my stuff?"

"Sure," said Jerome; "send it along."

The stuff, two cart-loads of it, came down. Every other gambler in New York followed suit. There were great times in the old basement of the Criminal Courts Building when the faro layouts, the roulette tables, the mahogany wheels, the "pinch" boxes, card-racks and other paraphernalia were smashed into kindling-wood. The gamblers are still out of business, and Canfield pleaded guilty to being a "common gambler."

So, too, in what is commonly known as the Prince Bill, which Jerome drafted and secured to be passed. He had successfully prosecuted Sam Parks and sent him to State's prison, but he believed that even greater crimes were perpetrated by employers of labor who bribed the representatives of labor organizations, yet there was no law making it bribery. The Prince Bill remedied this, and then Jerome stood ready to prosecute any case which any labor organization would present to him against a crooked employer. That is his idea of "a square deal."

Last, but not least, was his bill passed to protect the merchants of New York from fraudulent bankruptcies. So-called "commercial cases" had always been the bugbear of the district attorney's office. Some swindler would start up in business, go to the wholesale houses, tell of what a fine business he was doing, talk of his large assets and minimize his liabilities, and sign a written statement of what they were, with the result that he would be given a substantial amount of credit. In due course he would fail, his books would disappear, and there would be no evidence of any sort that he had secured the credit advanced to him by means of false statements as to his financial condition.

Cleaning Out the Swindlers

JEROME promised the merchants of New York that he would put a stop to all this, and after careful consideration he struck at the root of the whole thing by securing the passage of a bill which made the disappearance of a bankrupt's books upon his failure presumptive evidence that his statements, made to induce the credit given, were false and known by him to be so. It is safe to say that this bill will reduce the number of fraudulent bankruptcies in New York State fifty per cent.

But, as has already been suggested, the district attorney is performing but half his duty in prosecuting indicted criminals; the other half lies in seeing to it that no innocent man shall be convicted or even put to trial. This is a vastly more difficult and responsible business, for every time the district attorney refuses to entertain a complaint he becomes an object of denunciation on the part of the person who thinks he has been aggrieved. Yet Jerome dismisses, of his own motion or through his assistants, for whose action he takes personal responsibility, hundreds of cases yearly on the ground that he has no right to tarnish the name of the defendant by putting him to a trial on the evidence presented. This kind of thing requires no little courage.

On the conviction of a guilty man, a no less serious responsibility devolves upon Jerome. He has investigated the circumstances of the case, the history and environment of the prisoner, and knows perhaps even better than the judge the precise moral guilt of the defendant. The judge has had only the opportunity presented upon the trial and by the letters and affidavits of sympathizing friends and relatives of the prisoner to determine what the punishment should be. But the district attorney is aware of vastly more than this. He knows what manner of man the complainant may be, and the conditions existing in the locality where the crime has been committed, and he can, if he chooses, perform a signal service in protecting the rights of the defendant after his conviction. This Jerome has always made it a point to do. If the convict be a man whose act is evidence of a depraved moral nature, whose education and surroundings afford him no excuse, Jerome will demand the full measure of punishment. But if the defendant be ignorant, poor, unfortunate, he is the first man to ask for leniency.

An illustration of this occurred a short time ago when a stevedore on the West Side, while engaged in a fisticuff encounter, struck his antagonist so violent a blow that it killed him. The defendant had had no intention of causing the death of his opponent, but, as usual, a great deal had been made by the papers of the case, and in due course the man was properly convicted of manslaughter. On the day fixed for his sentence Jerome sent for the assistant who had tried the case and spoke somewhat as follows:

"Well, Tom, I see you convicted Blank of manslaughter. It is a good conviction, and I congratulate you on your good work, but how about the punishment?"

"Why, Judge," responded the assistant, "Blank had no intention of killing the fellow, and you know that over there, along the wharves, fighting is as common as eating. He's not a criminal in the ordinary sense of the word at all.

He ought to get enough to teach him and his associates to be more careful with their fists, and to make pugilism unpopular."

"What's the judge likely to give him?" asked Jerome.

"Oh, anywhere from five to fifteen years, I guess," responded the assistant.

"That won't do," responded Jerome, and forthwith he started for the courtroom.

After a careful explanation to the judge of the character and education of the defendant, and of the conditions existing along the water front, he succeeded in prevailing upon his Honor, instead of sending Blank for a long term to chop stones at Sing Sing, to sentence him to a few months on "The Island," where he might cool his heels and ponder upon the inadvisability of amateur pugilism.

This is but one illustration of what goes on almost every day in the year. Jerome realizes as fully the responsibility devolving upon him to care for the interests of every defendant who is brought to the bar for sentence, as he does the duty to see that, if guilty, he be convicted. On the other hand, no influence of a rich or powerful defendant will prevent Jerome's demanding the maximum punishment where he believes it is deserved. His fearlessness in this regard is at times almost terrifying. He cares no more for a judge upon the bench, if he believes the judge to be betraying the interests of the people, than he does for a clay image. There is a famous instance of his appearing in court when a well-known judge was about to suspend sentence in the case of a man of powerful connections and telling him to his face that he was willfully "monkeying with justice."

An excellent illustration of Jerome's independence and scorn of what is popularly known as "in*fluo*ence," occurred in the case of Frank S. Weller, convicted, after an eight-day trial before Judge Vernon M. Davis, of participation in the famous "Horseshoe Copper Mine" swindles. Weller was a neighbor of Governor Odell's, a man of excellent birth, education and opportunities, who had elected deliberately to gain his livelihood by fraud. He was a son of the partner of the Governor's father in the now famous "grocery business." After he had been sentenced and his release upon bail had been secured, pending the hearing of his case upon appeal, a well-known member of the bar, who had formerly been the presiding justice of the appellate division in another department, called at the district attorney's office and asked to see him.

"I just came in," said he, supposing himself to be recognized, "to ask how much you would oppose a pardon in the case of Weller. You see, his father was a great friend of the Governor's, and we have every reason to believe that he will be pardoned. What I wanted to know was, whether in that case you would think it necessary to try him again on some other indictment."

Jerome had not caught his visitor's name, but if he had it would have made no difference in his reply.

"What's that?" he exclaimed, jumping from his chair and striding up to the astonished ex-member of the judiciary. "Would I try him again? Look here, my friend, I don't know who you are, but you can go back and tell Odell that we don't care any more for governors down here *than we do for monkeys.*"

"I *beg* your pardon," stammered the ex-judge.

"Yes," said Jerome, "you go straight back to Newburgh and tell him from me that we will keep on trying Weller until he gets writer's cramp signing pardons for him. And when the indictments give out we'll get new ones. Is that plain enough?"

The circumstances surrounding the decision of the convict Miller to become State's evidence show the other side of Jerome's character so admirably that they are worthy of mention. The reader may recall that Miller had been convicted of grand larceny as the originator and chief conspirator in the notorious "Franklin Syndicate." He had advertised that if money were intrusted to him for investment he would speculate with it and guarantee a return of *ten per cent. weekly* to the depositor. He did not invest the money, but simply appropriated it, and paid the interest on the sums already advanced out of the last deposits received. He was an ignorant, rather stupid man, the victim of circumstances and of an unquenchable thirst for Wall Street gambling—having been bitten, as it were, by the tarantula of speculation. In point of fact, he had turned all the money which he had stolen over to his lawyer, Colonel Robert A. Ammon, and in course of time the latter had treacherously surrendered him to the police authorities in order to save his own skin.

Ammon was notoriously an adviser of criminals and a menace to the community in which he practiced his profession. Jerome, knowing the iniquities possible to an unscrupulous lawyer, concluded that one of the greatest services which he could perform to the community of New York would be to place Ammon behind prison bars. The lawyer was accordingly indicted for receiving stolen goods—the goods being $30,500 in cash which had been delivered to him by Miller at or about the time the latter had fled the jurisdiction. It was easy enough to prove that the money had been stolen, and that Ammon upon the day of Miller's flight had deposited $30,500 with Wells, Fargo & Co., but one link was missing—a link which could be supplied only through the testimony of Miller—the evidence that the money so deposited was the *identical money stolen.* It was, therefore, necessary to induce Miller to turn State's evidence. After several unsuccessful attempts to accomplish this on the part of Mr. Jerome's assistants, the district attorney himself visited Sing Sing prison and interviewed the convict. The latter, however, refused to make any statement implicating the lawyer. Jerome, indignant at the refusal on the part of this miserable thief to use the only opportunity which would probably ever be presented to him to make amends for his crime, turned fiercely upon him and indignantly denounced him as a degraded being, devoid of every spark of honor, and unworthy of intercourse with honest men, and stated that he felt himself personally humiliated by having come there to request the assistance of such a man. Miller flushed, but remained silent, and the district attorney turned wrathfully away. After a few moments, Miller requested permission to speak to him again. Jerome returned.

"Mr. Jerome," said Miller, "I would give anything to be able to repay those poor people the money which I stole from them, but I have a wife and baby, and the only thing that keeps them alive is the ten dollars a week which is paid to them by Colonel Ammon. If I testify against him they will starve."

The district attorney's eyes filled.

"Miller," said he, holding out his hand, "I have done you a grave injustice. I ask your pardon. I do not blame you for not being willing to take a step which may cause suffering to your wife and child. I would gladly pay them the ten dollars a week myself were it not for the fact that the funds at my disposal cannot be used legally for such a purpose. I respect you for the stand that you have taken. But I urge you to think the matter over carefully before deciding not to do what you can to repair the wrong which you have done. Should you decide to help the State, while I can promise you nothing, a full statement of your services will be sent to the Governor, and will be considered by him upon any application for pardon which you may make. Think it over well and let me know of your decision."

The spark of nobility which the district attorney's words had roused within him resulted in Miller's doing what he could to atone for his crime.

One of the most lovable characteristics of "The Chief," as the members of his professional staff call him out of affectionate respect, is his desire to take, and his insistence upon taking, the responsibility for every act of theirs which may be open to public censure or criticism. In any difficult or trying case, where things are going wrong or the trial assistant feels the discouragement which so often comes in the face of difficulties, Jerome is always in court with his arm around the back of the other's chair, giving him words of encouragement and advice. And it is when a case which ought to be won is going to be lost, and not when one which might easily be lost is going to be won, that the chief himself comes into court to take the responsibility of the way in which it has been tried.

I recall an instance of this, which occurred a year or two ago, that will never be forgotten by the members of the staff who knew of it. It was when the "labor cases" were

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A QUESTION OF CLIMATE

By William Allen White

COLONEL MORRISON had three initials, so the town naturally called him "Alphabetical" Morrison, and dropped the "Colonel." He came to our part of the country in an early day—he used to explain that they caught him in the trees, when he was drinking creek water, eating sheep-sorrel, and running wild with a buffalo tail for a trolley, and that the first thing they did, after teaching him to eat out of a plate, was to set him at work in the grading gang that was laying out the Cottonwood and Walnut Rivers and putting the limestone in the hills. He was one of the original five patriots who laid out the Corn Belt Railroad from the Mississippi to the Pacific, and was appointed one of that committee to take the matter to New York for the inspection of capitalists—and be it said to the credit of Alphabetical Morrison that he was the only person in the crowd with money enough to pay the ferryman when he reached the Missouri River, though he had only enough to get himself across. But in spite of that the road was built, and though it missed our town, it was because we didn't vote the bonds, though old Alphabetical went through the county, roaring in the schoolhouses, bellowing at the cross-roads, and doing all a good, honest pair of lungs could do for the cause. However, he was not dismayed at his failure, and began immediately to organize a company to build another road. We finally got a railroad, though it was only a branch.

Over his office door he had a sign—"Land Office"—printed in letters as big as a cow, on the false board front of the building, and the first our newspaper knew of him was twenty years ago, when he brought an order for some stationery for the Commercial Club. At that time we had not heard that the town supported a Commercial Club—nor had any one else heard of it, for that matter—for old Alphabetical was the president, and his bookkeeper, with the Miss dropped off her name, was secretary. But he had a wonderfully alluring letterhead printed, and

Doing All a Good, Honest Pair of Lungs Could Do for the Cause

seemed to get results, for he made a living, while his competitors starved. Later, when he found time, he organized a real Commercial Club, and had himself elected president of it. He used to call meetings of the club and discuss things, but as no one cared much for his monologues on the future of the town, the attendance was often light. He issued circulars referring to our village as "the Queen City of the Prairies," and on the circulars was a map, showing that the Queen City of the Prairies was "the railroad axis of the West." There was one railroad running into the town; the others old Alphabetical indicated with dotted lines, and explained in a foot-note that they were in process of construction.

He became possessed of a theory that a canning factory would pay in the Queen City of the Prairies, and the first step he took toward building it was to invest in a high hat, a long coat and white vest, and a pair of mouse-colored trousers. With these and his theory, he went East and returned with a condition. The canning factory went up, but the railroad rates went wrong and the factory was never opened. Alphabetical blinked at it through his gold-rimmed glasses for a few weeks, and then organized a company to turn it into a woolen mill. He elected himself president of that company and used to bring around notices of directors' meetings to our paper, and while he was in the office he would insist that we devoted too much space to idle gossip and not enough to the commercial and industrial interests of the Queen City.

At times he would bring in an editorial that he had written himself, highly excitable and full of cyclonic language, and if we printed it Alphabetical would buy a hundred copies of the paper containing it and send them East. His office desk gradually filled with woodcuts and zinc etchings of buildings that never existed save in his own dear old head, and about twice a year during the boom days he would bring them around and have a

circular printed on which were the pictures showing the imaginary public buildings and hypothetical business thoroughfares of the Queen City.

The woolen mill naturally didn't pay, and he persuaded some Eastern capitalists to install an electric plant in the building and put a street-car line in the town, though the longest distance from one side of the place to the other was less than ten blocks. But Alphabetical was enthusiastic about it, and had the Governor come down to drive the first spike. It was gold-plated, and Alphabetical pulled it up and used it for a paper-weight in his office for many years, and it is now the only reminder there is in town of the street railway, except a hard ridge of earth over the ties in the middle of Main Street. When some one twitted him of the failure of the street railway he made answer:

"Of course it failed; here I go pawing up the earth, milking out the surplus capital of the effete East, and building up this town—and what happens? Four thousand old silurian fossils comb the moss on the north side of 'em with mussel-shell, and turn over and yawp that old Alphabetical is 'visionary.' I get a canning factory and nobody eats the goods; I hustle up a woolen factory, and the community quits wearing trousers—and a street-car line to haul them to and from their palatial residences that I have built for them on paper, and what do the sun-baked human mud-turtles do but all jump off the log into the water and hide from them cars like they were chariots of fire! What this town needs is not factories, nor railroads, nor modern improvements. Old Alphabetical can get them. But the next great scheme I go into is to go down to the river, get some good red mud, and make a few thousand men who've got sense enough to build up a town."

It has been fifteen years and over since Colonel Morrison put on his long coat and high hat and started for the money markets of the East, seeking whom he might devour. At the close of the eighties the Colonel and all his tribe found that the stock of Eastern capitalists who were ready to pay good prices for the fine, shimmering blue sky and bracing ozone of the West was running low. It was said around town that the Colonel had come to the end of his string, for not only were the doors of capital closed to him in the East, but newcomers had stopped looking for farms at home. There was nothing to do but to sit down and swap jack-knives with other land-agents, and as they had taken most of the agencies for the best insurance companies while the Colonel was on dress parade, there was nothing left for the Colonel to do but to run for justice of the peace, and, being elected, do what he could to make his tenure for life.

Though he was elected, more out of gratitude for what he had tried to do for the town than because people thought he would make a fair judge, he got no further than his office in popular esteem. He did not seem to wear well with the people in the daily run and jostle of life. During the forty years he has lived in our town, he has lived most of the time apart from the people—transacting his business in the East, or locating strangers on new lands. He has not been one of us, and there were stories afloat that his shrewdness had sometimes caused him to thrust a toe over the dead-line of exact honesty. In the town he never helped us fight for those things of which the town is really proud: our schools, the college, the municipal ownership of our electric lights and waterworks, the public library, the abolition of the saloon, and all of the dozen small matters of public interest in which good citizens take a pride. Colonel Morrison was living his grand life, in his tailor-made clothes, while his townsmen were out with their coats off making their town the substantial place it is. So in his latter days he is old Alphabetical Morrison, a man apart from us. We like him well enough, and so long as he cares to be justice of the peace no one will object, for that is his due. But, someway, there is no talk of making him County Clerk; and there is a reason in every one's mind why no party names him to run for County Treasurer. He has been trying hard enough for ten years to break through the crust of the common interests that he has so long ignored. One sees him at all public meetings—a rather wistful-looking, chubby-faced old man—on the edge of the crowd, ready to be called out for a speech. But no one calls his name; no one cares particularly what old Alphabetical has to say. Long ago he said all that he can say to our people.

The only thing that Alphabetical ever organized that paid was a family. In the early days he managed to get a home clear of indebtedness and was shrewd enough to keep it out of all of his transactions. Tow-headed Morrisons began to fill the schoolhouse, and twenty years later there were so many of his girls teaching school that the school board had to make a rule limiting the number of city teachers from one family, in order to force the younger Morrison girls to go to the country to teach. In these days the girls keep the house going and Alphabetical is a notary public and justice of the peace, which keeps his office going in the little square board building at the end of the street.

One would think that an idler would be a nuisance in a busy place, but, on the contrary, we all like old Alphabetical around our office. For he is an old man who has not grown sour. His smooth, fat face has not been wrinkled by the vinegar of failure, and the noise that came from his lusty lungs in the old days is subsiding. But he has never forgiven General Durham, of the Statesman, for saying of a fight between Alphabetical and another land-agent back in the sixties that "those who heard it pronounced it the most vocal engagement they had ever known." That is why he brings his obituaries to us. That is why he does us the honor of borrowing papers from us, and that is why, of a dull afternoon, he likes to sit in the old swayback swivel-chair and tell us his theory of the increase in the rainfall, his notion about the influence of trees upon the hot winds, his opinion of the disappearance of the grasshoppers. Also, that is why we always save a circus ticket for old Alphabetical, just as we save one for each of the boys in the office.

One day he came into the office in a bad humor. He picked up a county paper, glanced it over, threw it down,

He Likes to Sit in the Old Swayback Swivel-Chair and Tell Us His Theory of the Increase in the Rainfall

kicked from under his feet a dog that had followed a subscriber into the room, and slammed his hat into the waste-basket with considerable feeling as he picked up a New York paper.

"Well—well, what's the matter with the judiciary this morning?" some one asked the old man.

He did not reply at once, but turned his paper over and over, apparently looking for something to interest him. Gradually the revolutions of his paper became slower and slower, and finally he stopped turning the paper and began reading. It was ten or fifteen minutes before he spoke. When he put down the paper, his cherubic face was beaming, and he said:

"Oh, I know I'm a fool, but I wish the Lord had sent me to live in a town large enough so that every dirty-faced brat on the street wouldn't feel he had a right to call me 'Alphabetical'! Dammit, I've done the best I could! I haven't made any alarming success. I know it. There's no need of rubbing it in on me." He was silent for a time with his hands on his knees and his head thrown back looking at the ceiling. Almost imperceptibly a smile began to crack his features, and when he turned his eyes to the man at the desk they were dancing with merriment, and he said: "Just been reading a piece here in the Sun about the influence of climate on human endeavor. It says that in northern latitudes there is more oxygen in the air and folks breathe faster, and their blood flows faster, and that keeps their livers going. Trouble with me has always been climate—sluggish liver. If I had had just a little more oxygen floating around in my system, the woolen mill would still be running, the street-cars would be going, and this man's town would have had forty thousand inhabitants. My fatal mistake was one of latitude. But"—and he drawled out the word mockingly—"but I guess if the Lord had wanted me to make a town here he would have given me a different kind of liver!" He slapped his knees as he sighed: "This is a funny world, and the more you see of it the funnier it gets." The old man grinned complacently at the ceiling for a minute, and before getting out of his chair kicked his shoe-heels together merrily, wiped his glasses as he rose, put his bundle of papers under his arm, and left the office whistling an old, old-fashioned tune.

Stopping the Leak

"IT'S all right if you can get over the clerk's head and to the merchant himself," said a well-known traveling man, "when there is any graft going around, but it is a hard game to play when you must deal with a buyer who is the supreme judge. I once had an experience with a buyer down in California. I went into one of the big stores down there and jollied around with the buyer in my department. He said he would come over and look at my line. He took the hook so quickly that I ought to have smelt a mouse to start with; but I didn't. He came over to my sample-room in the evening. Now that, you know, isn't a very good time to buy clothing—nothing is as good as daylight for that. He didn't question my price, or anything of that sort. He would look at a few things and then stop and talk horse with me for a while.

"After monkeying around a couple of hours, I managed to lay out a pretty fair line of stuff. 'Now,' said the buyer, 'to-night I can only make up a list of what's here. These things suit me pretty well, and in the morning I can submit it to the old man for his O. K.'

"Well, that looked easy to me, so we wrote down the order, and when we got through that fellow was bold enough to come right out and say: 'Now, look here, you're making a good commission on this stuff—here's a good bill, and I can throw it to you if I wish, or I can kill it if I like. I'm not getting any too much over where I am, so don't you think your house can dig up about twenty for me on this bill if I'll see that it sticks?'"

"Did you dig?" said one of the boys.

"Dig? You bet your life not! This funny business I won't do. It may work for one bill, but it won't last long, because it is only a matter of time before the buyer who will be bribed will be jumped and lose his job. I simply told the fellow that I didn't do that sort of business; that, unless he wished to do business with me strictly on the square, I wouldn't do business with him at all."

"Well, what did he say to that?" was asked.

"Oh, he said to me: 'I'm just joshing you, and I really wanted to see if I couldn't get you down a little and make that much more for the house. I like to do business myself with any one who is on the square.'"

"The order stuck, then?" asked another drummer.

"No, it didn't. That's the worst of it. A few days after I reached home in came a cancelation from the head of the house. At that time I didn't understand it. I supposed that the head of the house himself had really canceled the order, so the next time I went to that town I waltzed straight up to the office and asked to see the head of the establishment. I asked him why he had canceled my order, and he told me that his buyer really had all of that in charge and that he only followed out his recommendations; that the buyer had told him to cancel that bill and he had done so.

"I saw through the whole scheme. There was just one thing for me to do. I simply came right square out and told the old man that his buyer had wanted to get twenty dollars from me to make the bill stick; and that the clerk had canceled my order so that he could get a rake-off from somebody else.

"The old man sent for the buyer and told him to get his pay and leave. He thanked me for putting him wise, and, from that time on, he or some other member of the firm always went to the sample-room."

On the Trail of the First Trust

Astor, the Free Traders and the Rocky Mountain Men

By Arthur E. McFarlane

SOME time in the opening years of the nineteenth century it came to be known in the valley of the upper Missouri that certain "free traders" who had wandered too far into the shadows of the Rockies had been made away with by the simple aborigines who inhabited those parts. And they had, according to rumor, been "made away with" in a double and sinister turning of the phrase. The following year a second and more powerful party of white men had an opportunity of inquiring among the said aborigines concerning these things. "Yes, they had eaten the invading traders; moreover, they had made very good eating!" And, the inquiring white men expressing those emotions of horror and surprise very properly evoked by this communication, the savages hastened to add that they had not, of course, eaten them raw: they had boiled them first.

There is more in this humorous anecdote than at once may meet the eye. Even had the said aborigines desired to eat the said "free traders" raw, beyond any question they should have failed. Indeed, all trustworthy reports upon the fearful urgency of the Indian appetite convince us that they *did* first attempt to eat them raw; but, soon persuaded of the impossibility of this, they querulously reverted to the slower processes of the stew-kettle.

For the early traders of the West were in their moral and physical constitution of a raw-hide, beech-root toughness which even the ladylike medium of literature lacks the power to mitigate. It is true that many have dwelt upon their pastoral existences; but we can admit the term only if we remind ourselves that no small number of the Arcadian shepherds of the pastoralia must have had to devote themselves almost altogether to the subjugation of belligerent rams, thereby acquiring a gnarled and hairy-handed jowliness which Theocritus himself could not set to gentle measures. And while their ribboned fellows were fiddling and piping to Phyllis beneath the wind-harp willows, we must picture them as standing well in the background with that thick-set, heavy-fisted and lowering aspect which we now most commonly associate with plumbers' apprentices.

Only in this sense was Jim Bridger pastoral, or Mike Fink, or Hugh Glass, or Jedediah Smith, or Manuel Lisa. Yet they were all tall men of their hands in their own particular accomplishments. Thus, if Jim Bridger was so little used to the phenomena of towns and cities that he always alluded to streets as cañons, he knew the two thousand miles of the Oregon trail better than the urban weakling knows the dozen yards of concrete walk which he must shovel clear after a blizzard. And when upon one occasion a tenderfoot whom he was taking over the mountains expressed a fear that they had crossed the trail without observing it, Bridger sat down, in his emotion swallowed his quid, and refused to proceed any farther upon that expedition. Any man who could believe it possible to cross the greatest of all highways and not know it was simply unsafe to travel with! You might have talked to Bridger of the Mandarin Road, or of the mighty caravan routes from ancient Bagdad, or of that not less wide and famous path that leads to the everlasting bonfire. He would not have heard you. For him the world possessed only one road upon which it had any right to stand with marvelings.

Mike Fink was most largely a "river man." "I am a Salt River roarer," he was wont to announce, "and I love the wimming, and as how I am chock full of fight!" He was a famous marksman, too. Upon one trip down the Mississippi he saw, running along the bank, a venerable parent pig and eight little ones; they were the property of a planter whose face had always displeased him, and, laying rifle to cheek, he clipped their tails off, one by one, as a sign for all men to see. He and a crony of his named Carpenter were periodically accustomed to show their mutual confidence, and, in general, cement their friendship by shooting tins of whisky from each other's bristling headpieces. This was going William Tell one better, for the Switzer made his famous shot under compulsion, and with nobody shooting at *him* at the time, but Fink and Carpenter engaged in their target practice solely in the pursuit of joy. With both of them, too, the spilled whisky was always more than paid for by that standing moment of expectation in which each could still hope that the day's previous wassailing might bring the other's aim into a wabbling and a mockery—and he might miss!

It was Hugh Glass, I think, who introduced high genius into the system of retailing liquor to the Indians. The trouble had always been that, though it had never taken any great amount of spirits frumenti to bring a native to that condition wherein he would part with his beaver and otter skins at prices satisfactory to the St. Louis trader, once a native *had* reached that condition he called steadily for more potations—nor might he be denied under risk of death—until he had at last passed into childlike but stertorous slumber. Now Glass observed that Indians in the above condition divided into two general classes. In the first the sense of sight became most rapidly befogged. In the second the faculty of taste was earliest to be confounded and become a thing of naught. With the former class he substituted cannikins the bottoms of which had been raised, in graduated scale, by layers of candle grease; and the trader's thumb might also, by intrusion, be turned into a brimming agent of no little profit. For the second class, those who were lacking in taste, he as systematically substituted a series of diluted bottles, each weaker than the one before, until in the end the heathen savage—who had no business to be drinking at all—was consuming water undefiled, yet with all those indefensible sensations of unlimited carouse!

There was, however, one mighty chieftain who ever had the better of Mr. Glass. For, as befitted his dignity, he insisted upon the privilege of pouring for himself. And this was of inestimable value to him, since his fingers, being very long, met, even to the littlest, above the beaker's brim, and thus at once both its length and its capacity were doubled. It is said that in his private custom he took back from Hugh much more than the latter could gain from his tribesmen by the most diligent observance of those economical business practices just described.

Jedediah Smith was of a mental capacity surpassing even Glass'. It was Smith who, as we have elsewhere noted, when far up the Yellowstone, fell in with a party commanded by a Lowlander representative of the Hudson's Bay Company, Alexander Ross by name. Now, when they met, Ross had one hundred beaver skins and Jedediah Smith had none—nor yet had he the wherewithal to get them; he possessed only the inextinguishable spark of native wisdom. But when they parted Smith had the furs and Alexander Ross the wisdom! And of the two the latter seems to have been the more impressed by the meeting. Other than to confess with manifest awe that Jedediah was a "varra centelligent pairson," he could never be induced to illuminate the transaction. Each reader of this is herewith given three guesses as to what took place, the successful contestant being, by these presents, empowered at some

From the Upper Lakes Astor's Mackinaw Boats Could Make Their Way into the Mississippi

Editor's Note—This is the last of a series of three articles by Mr. McFarlane on the old trading companies.

future time to work the game himself. The writer has taken considerably more than three guesses at it, and has been incontinently baffled.

As for Manuel Lisa, it was he who, knowing neither English nor French, in a moment of absent-mindedness married the widow Keeney, who knew neither Indian nor Spanish! Upon first thoughts their inability to indulge in even the most passing and perfunctory of converse might seem to have presaged much pain and trouble. On the contrary, their friends were able to observe with gratification that opportunities for misunderstandings were thereby so curtailed that they lived happy ever afterward.

Lisa and his partners made a practice of sending seed-potatoes, beans, turnip and pumpkin seeds and the like among the natives, which some chroniclers have laid emphasis upon. But the significant thing is his having had partners at all. Yet, upon closer examination, we find practically all his fellows following the same natural law. Those buckskinned traffickers might begin alone; but sooner or later came the second business stage, that of partnership. And within a few years thereafter, as inevitably as the Aryan stock, however scattered, groups itself into the village community, there came the era of the organized company.

It is not our purpose here to dwell upon the first rough corporations so formed in St. Louis. And, for that matter, certain Spanish companies, such as Maxent, Laclede & Co., dated back a generation; while the Prattes and Chouteaus and Cabannes presided over commercial houses which had been set up under the laws of France before the year of "Purchase." But two at least of the first American companies are worthy of mention. These were the Missouri Fur Company, which included men from Kentucky, Illinois and lower Louisiana; and the Rocky Mountain Fur Company, which was organized and pushed with more than Yankee energy and shrewdness by General Ashley, afterward Lieutenant-Governor of Missouri. Within one period of twelve months—between the years 1823 and 1824—Ashley was beaten with slaughter by the Aricaras, lost his annual fur-boat with all his earnings for the season, and was vanquished in his fight for the State governorship—which is surely as much of the strenuous life as even its modern exponent would demand for one year's portion of solid enjoyment. With Ashley were later associated Smith and Bridger, Andrew Henry, Campbell, Fitzpatrick and the Sublettes—traders who, as guides, made the reputations of many "explorers." "Rocky Mountain" men first saw the Yellowstone, Great Salt Lake, Green River and the South Pass. It was they who left the real footprints, and the "explorers" very properly gave them the footnotes.

They swarmed over into Oregon after Lewis and Clark, and if they were daunted by the ancient and imperturbable vitality of the Hudson's Bay Company, they were at least never daunted by mere Nature. In five years more than seventy "Rocky Mountain" men perished at the hands of the Indians. In truth, one of their number pointed with pride to the fact that if bills of health were asked for, none of their company upon the prairies or mountains had ever died of sickness or old age! And another of Ashley's followers, hearing that an old and trusty partner had perished by cholera in St. Louis, lifted his sorrow-stricken head to say that he had been "all the time believin' that he was safe somewhars in the wilderness!"

They were "free traders" not in any political sense, but in so much as they were entirely unembarrassed by any man's law or dispensation. Their life, even with prosperity, lost none of its picturesqueness. The competition was not too keen. Business and pleasure came near to being one. And if it was not a time of complete and guileless gentleness, it was a sort of Golden Age in its particular kind and generation. But already over it was extending the shadow of something that was new. We are to see what was probably the earliest American manifestation of the cruelly scientific, the bowellessly methodical genius and spirit of one school of modern business.

In 1808 there was incorporated at New York the American Fur Company, John Jacob Astor supplying the half million of capital which was initially required. A great-grandson, William Waldorf Astor, tells us that the name "was merely a fiction, designed to broaden and facilitate his operations." It was more than that, however. It was a name which, for those times, was bold in a sense our sophisticated ears can hardly realize. There was in it the darkling breadth of the continental monoply, of the modern trust. It was as if to say: the company which will henceforward handle the fur-trade of America. And indeed, as far back as 1786, Astor had spoken of what he would be able to do "when the frontiers"—the Canadian frontiers—"are surrendered." Twenty-two years had passed, and the boundaries were still unsurrendered. He had laid his plans anew, and his having to surmount that seeming barrier had only given him an infinitely wider field of vision. His ideas were not now merely continental. He designed to transform a settlement at the mouth of the Columbia into a great *entrepôt* and shipping point for all Asia—even such as his Manhattan Island docks promised to be for Europe. And the Napoleonic quality shows forth in his intention not

Jim Bridger was Little Used to the Phenomena of Towns and Cities

merely to export, or import, or transport, but to do all three, and to apply the bartering principle of the backwoods trading-post to the whole great globe! He had the capacity for it, too. His carrying-belt was already smoothly at work between New York and Europe when the war of 1812 broke in upon him. The occupation of Oregon by the British for the next thirty years forever ended the commercial empire that was to have had its capital at Astoria.

The man was thus driven back once more into the borders of his own country. He must "energize" within limits which, to him, were cabined and confined. Instead of a study of human activity in its grasp of the far-reaching and the multiplex, we must look for the effects of the narrowed, the intense and concentrated. The lens has been brought nearer the paper; it will not cover so large an area, but it will bring out all that is within that area. Alas, too, it may very readily become a burning-glass!

The "pastoral" trading trappers and the simple and primitive companies of old St. Louis were still unsuspicious of any danger other than could arise among themselves when into that city was sent Samuel Abbott, commissioned by Astor there to remain until he had ascertained "everything that may be of advantage to us. . . . The state of the fur trade generally, and that of the Missouri particularly, will be very desirable, more especially when coupled with the resources of the individuals who are engaged in the business, as also their standing with the world." These instructions, given more than eighty years ago, might well seem to have emanated from the inner office of our own loved Standard Oil Company, and in that generation which we delight to honor. And Abbott's commission boded ill for the "little fellows" of the lower Mississippi.

When, in 1810, Astor had proposed coalition to the "Nor'westers" and had been repulsed with contumely by those fiery clansmen, he had done the next best thing. He had obtained the services of a group of their most capable younger men, had bought out the Mackinaw organization, and, using its home-post as a centre, had started the Southwest Company. This was to be one of the inland branches of the great American Fur Company of Astor's first imperial plan. It became in reality the "Northern Department" of the American Fur Company which in ten years more had firmly established itself at St. Louis.

It is curious to observe how quickly and instinctively the local traders gathered to fight it. They had never seen an "octopus" before, but from the first they seem to have realized what manner of creature it was. From the upper lakes Astor's Mackinaw boats could, by portaging, make their way into the Mississippi. Their owner had, from a study of Nor'wester methods, come to realize the value of the French Canadian *voyageur;* and in 1818 two brigades of *voyageurs* appeared upon the St. Louis wharfs. "Missouri" and "Rocky Mountain" traders at once made up their minds that the first tentacle of the monster was upon them. Believing that the Government of Washington had, years before, enacted some species of Alien Labor Law, with Colonel Talbot Chambers of the city's rifle regiment at their head, they soon laid violent hands upon those Frenchmen.

One might have said that the American Fur Company had arranged the thing for its own purposes. It hired Benton, Missouri's famous legal light, as counsel, for four years pursued Colonel Chambers from court to court, and when it had finished it had alike secured heavy damages and wrapped itself in a mantle of awe and fear which served it exceedingly well for forty years to come. Outside St. Louis and a few of the larger settlements the law in itself mattered little. It existed as a theory, but there was no force capable of making it respected. For example, in 1822, that delectable diarist, old Jacob Fowler, tells us of Fort Osage that "the garrison at this Time was comanded by an oficer of the united States armey, Having two men under Command Both of them Having disarted a few days ago and Careyed off all his amenition." And Fort Osage was doubtless typical. Nor, as we shall see, had the American Fur Company the slightest intention of regarding any laws other than those of its own making. But none the less, as far as might be, it intended to make the law its ægis. Already it was maintaining a strong "lobby" at Washington. Benton, its counsel, became, as Senator Benton, its "influence"—another business idea that many of us have thought to be ultra-modern.

Four years, as has been said, went by while the Company was still pursuing Colonel Chambers. And at the end of those four years we might expect to find it firmly established. Not so. Astor was, in 1820, a man of sixty-two; but had he been able to count upon another century of life he could not have pursued his plan with a more complete disregard of the flight of time. He negatived every appeal of his juniors to be allowed to go ahead, and, backed by a capital which they considered irresistible, carry all before them. They believed that Astor's money must sweep up the valleys of the Missouri and the Yellowstone like those great bores which at times sweep the Hoang-Ho and the Yang-tse-Kiang. But in his Oregon venture Astor had been able to learn for himself that the man who matches his whiffling paper millions or tens of millions against the infinite medin of time and space and chance simply makes himself a fool shaking dried peas in a bladder. He knew that the wilderness was vast, and that for years all its resources would be turned against him. Time, however, if he did not scant it, could be made his ally.

Whether you think of the American Fur Company as a gigantic python, holding its prey with flat, unwinking eyes till it is entirely ready to devour it, or as a perfectly organized army preparing, "without haste and without rest," to occupy with thoroughness an enemy's territory, there is something uncannily fascinating about the very deliberateness of its movements during those years. For a time, indeed, many of its lesser rivals almost lost their apprehensions. The "A. F. C." only desired to sell them goods, and undeniably it could offer them the best of goods. It might extend its Mackinaw enterprise somewhat, but into the

headwaters of the Missouri and the Yellowstone, those chosen hunting-grounds of the St. Louis traders, it had no intention of going whatever! If, too, when those traders brought down their furs, they were disposed to make use of the marketing facilities of the Astor corporation, well and good. And many of the St. Louis men did begin to avail themselves of those facilities. "I shall only . . . tamper with the Missouri traders on a moderate scale," wrote Ramsay Crooks to his chief, "in order to secure them for the following year."

Meanwhile the way was being made plain upon other and much broader lines. The Company had always assumed that it possessed a kind of public capacity. It advised the Government regarding trade relations with Canada and Great Britain, upon its administration of the frontier posts, and its treatment of the Indians—upon all those things, in short, whereof Astor and his lieutenants could speak as those in authority. But possibly such advice was hardly without prejudice. Since 1790 the Government had had in operation a system of trading-houses, or "factories," established with the idea of giving the harassed natives an opportunity of obtaining their necessities at cost. We find that the American Fur Company men at once recognized their most powerful rival in those Government establishments; and they took all possible means to get rid of them. "As it (the Indian trade) now stands," wrote Astor to Gratiot—with such broad disinterestedness as may appear—"it is too precarious for anybody to hazard anything in it unless the factories are to be abolished." Senator Benton accused the Federal power of making itself a monopolist, the all-crushing opponent of feeble private enterprise. The Indian agents from Washington were attainted with all manner of unfairness and peculation. And, after a year or more of such badgering, the hoodwinked Government weakly gave in. Within another five years the American Fur Company, through that typical representative, Ramsay Crooks, was again dispassionately advising with the authorities; he attempted to make it plain that in the idea of *monopoly* there was no essential evil; the only wrong had been in the Federal plan of exercising that monopoly itself. And Crooks confessed that his corporation had now come to the conclusion that the Government could not do better than follow the example of England; and, even as the latter had established the Hudson's Bay Company in sovereign authority over all Northwestern Canada, so ought the American Fur Company to be given full control over the American West. In return for this privilege it would establish a postal service, spread the blessings of civilization, and put an end to the traffic in liquor which was committing such ravages among the Indians. Washington acknowledged the far-seeing breadth of the proposal, but could not see its way clear to accede to it.

Notwithstanding this, the "A. F. C." had, during those years, made most satisfying progress. When you are selling goods, upon credit, to trading gentlemen who of their very nature are of almost childlike irresponsibility, and are later taking their harvest of furs in payment, it cannot be very long until such free agents are hardly to be distinguished from your employees; only they are employees who are not under the stigma of receiving a sure and definite salary. And we see the next step when the managers of those little companies began to be in great *want* of sure and definite salaries! These they obtained by leasing their companies to the "A. F. C." for a regular term of years, oftenest from three to five—which, again, is the third forward movement in the progress of the octopus. Astor and Crooks had inaugurated another principle of high finance which we believe to be altogether modern, a general scheme to do their business almost wholly through adoptive, or subsidiary, companies, taken in on short-lease agreements, and afterward either thrown away or finally engulfed, according to the convenience of the greater corporation. These adopted companies would, without really guessing it, take practically all the risk, and the salaries paid their chiefs—rarely more than $1200 or $1500 a year—would be all they would have to show for it. The period of the lease generally proved sufficient to squeeze all the juice out of them; and at the end of the agreement they were dropped, being then almost as valuable as beeves after they have been turned into fluid extract. The fields they had roamed when upon this earth were, in the very course of Nature, taken under the control of the "A. F. C."

Let us note one or two instances as we pass. In 1822, Berthold, Chouteau & Co. were offered a chance to come in, but hesitated. While they were hesitating, Stone, Bostwick & Co., a more energetic rival, broke in upon their territory. The American Fur Company watched the struggle for long enough to decide that the former corporation "must sink"; then they withdrew their offer and transferred it to the latter. And by furnishing Stone, Bostwick & Co. with capital they anonymously crushed Berthold, Chouteau & Co., and could, in 1826, take over the remainder of that company's business at a price entirely nominal.

Again, there were certain small companies which, while buying goods at an advantage from the "A. F. C.," still administered their own affairs so capably that they could swim along with no appearance of allowing their heads to get under at all. Such, for example, was the firm of Pratte, Cabanne & Co. Now, the head office of the American Fur Company was in New York, and, although it had a number of full-power agents in the West, each was seemingly doing his work without any regard to the others. Pratte, Cabanne & Co., having purchased their supplies from Ramsay Crooks—and purchased enough to cover the next two years—had naturally reckoned that Crooks' own company would hardly enter their territory. Nor, in point of fact, did it do so. But one of those subsidiary companies, half free and half independent, yet already under the guidance of an Astor man, Russell Farnham, entered the Pratte & Cabanne trapping waters, and that with all the zeal in the world. Nor would Farnham be bound by any tacit agreement made by Crooks. This may point to great carelessness and confusion in the management of the "A. F. C.," or it may point to something else. We shall only note the fact that, since the head office of the American Fur Company *was* in New York, an exchange of correspondence with agents in the foothills was, at that time, not a matter of weeks or months, but of a year or more; and it was rather the exception for any but special courier letters to get through at all. In the present case, after several seasons of first furious, then hopeless resistance, we find Pratte, Cabanne & Co. becoming in their turn a part of the "A. F. C." And it was probable that they were never certain who it was that had played them false. As regards Astor himself, we are informed that "he never stooped to such forms of competition," and that "he stood on higher grounds in those matters than his agents—possibly because he was removed from the field of actual operations." We shall let it go at that. We are concerned only with the methods of procedure, deliberate or accidental, of the company which drew its commercial life from him. While, too, we are speaking of this matter of secrecy and apparent uncertainness of responsibility, it may be added that, for years after the Company was almost the only fur company in St. Louis, it did not do business under its own name; it had merely intrusted the agency of its "Western Department" to Bernard Pratte & Co. Of the firm of Auguste Chouteau & Co. it was never known whether it was a part of this grandfather of trusts or no!

(Continued on Page 36)

LADY BALTIMORE

By OWEN WISTER

Author of The Virginian

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X—(Continued)

MISS RIEPPE has the extraordinary taste to come here in an automobile," said Mrs. Weguelin St. Michael.

While I realized from this that Mrs. Weguelin St. Michael would, with her unbending traditions, probably think it more respectable to approach Kings Port in a wheelbarrow, I was absorbed by the vague but copious import of Mrs. Gregory's announcement. The oracles, moreover, continued.

"But she is undoubtedly very clever to come and see for herself," was Mrs. Weguelin's next comment.

Mrs. Gregory's face, as she replied to her companion, took on a severe and superior expression. "You'll remember, Julia, that I told Josephine St. Michael it was what they had to expect."

"But it was not Josephine, my dear, who at any time approved of taking such a course. It was Eliza's whole doing."

It was fairly raining oracles round me, and they quite resembled, for all the help and light they contained, their delphic predecessors.

"And yet Eliza," said Mrs. Gregory, "in the face of it, this very morning, repeated her eternal assertion that we shall all see the marriage would not take place."

"Eliza," murmured Mrs. Weguelin, "rates few things more highly than her own judgment."

Mrs. Gregory mused. "Yet she is often right when she has no right to be right."

I couldn't bear it any longer, and I said: "I heard to-day that Miss Rieppe had broken her engagement."

"And where did you hear that nonsense?" asked Mrs. Gregory.

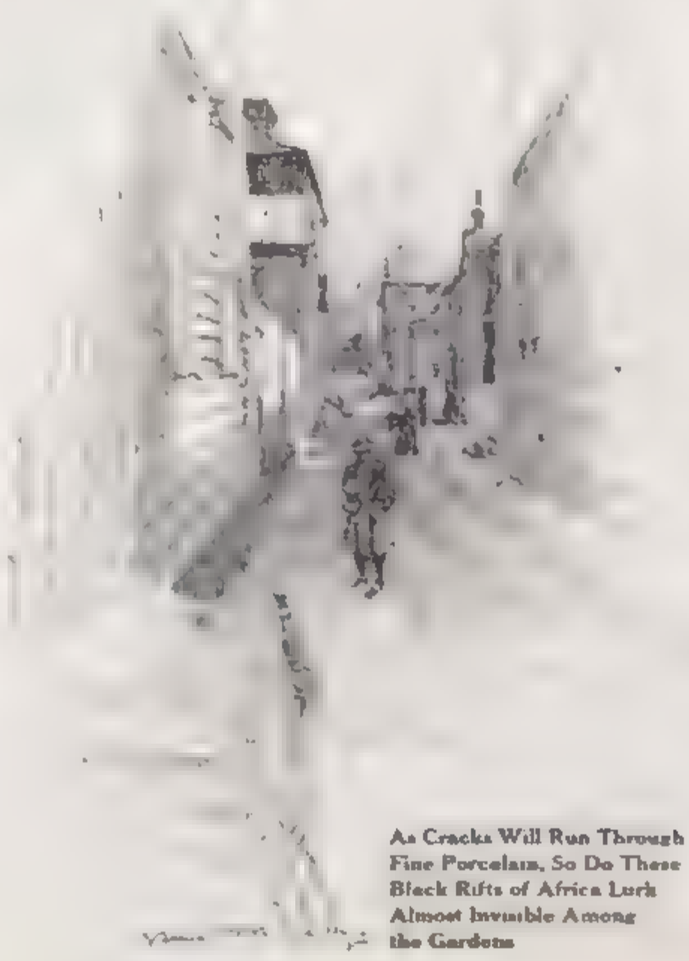
My heart leaped, and I told her where.

"Oh, well! you will hear anything in a boarding-house. Indeed that would be a great deal too good to be true."

"May I ask where Miss Rieppe is all this while?"

"The last news was from Palm Beach, where the air was said to be necessary for the general."

"But," Mrs. Weguelin repeated, "we have every reason to believe that she is coming here in an automobile."



As Cracks Will Run Through Fine Porcelain, So Do These Black Rifts of Africa Lurk Almost Invisible Among the Gardens

"We shall have to call, of course," added Mrs. Gregory to her, not to me; they were leaving me out of it. Yes, these ladies were forgetting about me in their rising preoccupation over whatever crisis it was that now hung over John Mayrant's love affairs—a preoccupation which was evidently part of Kings Port's universal buzz to-day, and which my joining them in the street had merely mitigated for a moment. I did not wish to be left out of it; I cannot tell you why—perhaps it was contagious in the local air—but a veritable madness of craving to know about it seized upon me. Of course, I saw that Miss Rieppe was, almost too grossly and obviously, "playing for time"; the health of people's fathers didn't cause weekly extensions of this sort. But what was it that the young lady expected time to effect for her? Her release, formally, by her young man, on the ground of his worldly ill fortune? Or was it for an offer from the owner of the Hermana that she was waiting, before she should take the step of formally releasing John Mayrant? No, neither of these conjectures seemed to furnish a key to the tactics of Miss Rieppe, and the theory that each of these affianced parties was strategizing to cause the other to assume the odium of breaking their engagement, with no result save that of repeatedly countermanding a wedding-cake, struck me as belonging admirably to a stage-comedy in three acts, but scarcely to life as we find it. Besides, poor John Mayrant was, all too plainly, not strategizing; he was playing as straight a game as the honest heart of a gentleman could inspire. And so, baffled at all points, I said (for I simply had to try something which might lead to my sharing in Kings Port's vibrant secret):

"I can't make out whether she wants to marry him or not."

Mrs. Gregory answered. "That is just what she is coming to see for herself."

"But since her love was for his phosphates only——!" was my natural exclamation.

It caused (and this time I didn't expect it) my inveterate ladies to consult each other's expressions. They prolonged their silence so much that I spoke again:

"And backing out of this sort of thing can be done, I should think, quite as cleverly, and much more simply, from a distance."

It was Mrs. Weguelin who answered now, or, rather, who headed me off "Have you been able to make out whether he wants to marry her or not?"

"Oh, he never comes near any of that with me!"

"Certainly not. But we all understand that he has taken a fancy to you, and that you have talked much with him."

So they all understood this, did they? This, too, had played its little special part in the buzz? Very well, then, nothing of my private impressions should drop from my lips here, to be quoted and misquoted and battledored and shuttlecocked, until it reached the boy himself (as it would inevitably) in fantastic disarrangement. I laughed. "Oh, yes! I have talked much with him. Shakespeare, I think, was our latest subject."

Mrs. Weguelin was plainly watching for something to drop. "Shakespeare!" Her tone was of surprise.

I then indulged myself in that most delightful sort of impertinence, which consists in the other person's not seeing it. "You wouldn't be likely to have heard of that yet. It occurred only before dinner to-day. But we have also talked optimism, pessimism, sociology, evolution—Mr. Mayrant would soon become quite——" I stopped myself on the edge of something very clumsy.

But sharp Mrs. Gregory finished for me. "Yes, you mean that if he didn't live in Kings Port (where we still have reverence, at any rate) he would imbibe all the shallow quackeries of the hour and resemble all the clever young fools of the minute"

"Maria!" Mrs. Weguelin murmurously expostulated.

Mrs. Gregory immediately made me a handsome but equivocal apology. "I wasn't thinking of you at all!" she declared gayly; and it set me doubting if perhaps she hadn't, after all, comprehended my impertinence. "And, thank Heaven!" she continued, "John is one of us, in spite of his present stubborn course."

But Mrs. Weguelin's beautiful eyes were resting upon me with that disapproval I had come to know. To her, sociology and evolution and all the "isms" were newfangled inventions and murky with offense; to touch them was defilement, and in disclosing them to John Mayrant I was a corrupter of youth. She gathered it all up into a word that was radiant with a kind of lovely maternal gentleness:

"We should not wish John to become radical"

In her voice, the whole of old Kings Port was enshrined; hereditary faith and hereditary standards, mellow with the adherence of generations past, and solicitous for the boy of the young generation. I saw her eyes soften at the thought of him; and throughout the rest of our talk to its end her gaze would now and then return to me, shadowed with disapproval.

I addressed Mrs. Gregory. "By his 'present stubborn course' I suppose you mean the custom house."

"All of us deplore his obstinacy. His Aunt Eliza has strongly but vainly expostulated with him. And after that, Miss Josephine felt obliged to tell him that he need not come to see her again until he resigned a position which reflects ignominy upon us all."

I suppressed a whistle. I thought (as I have said earlier) that I had caught a full vision of John Mayrant's present plight. But my imagination had not soared to the height of Miss Josephine St. Michael's act of discipline. This, it must have been, that the boy had checked himself from telling me in the churchyard. What a character of sterner times was Miss Josephine! I thought of Aunt Carola, but even she was not quite of this iron, and I said so to Mrs. Gregory. "I doubt if there be any old lady left in the North," I said, "capable of such antique severity."

But Mrs. Gregory opened my eyes still further. "Oh, you'd have them if you had the negro to deal with as we have him. Miss Josephine," she added, "has to-day removed her sentence of banishment."

I felt on the verge of new discoveries. "What!" I exclaimed, "and did she relent?"

"New circumstances intervened," Mrs. Gregory loftily explained. "There was an occurrence—an encounter, in fact—in which John Mayrant fittingly punished one who had presumed. Upon hearing of it, this morning, Miss Josephine sent a message to John that he might resume visiting her."

"But that is perfectly grand!" I cried in my delight over Miss Josephine as a character

"It is perfectly natural," returned Mrs. Gregory quietly. "John has behaved with credit throughout. He was at length made to see that circumstances forbade any breach between his family and that of the other young man. John held back—who would not, after such an insult?—but Miss Josephine was firm, and he has promised to call and shake hands. My cousin, Doctor Beaugarçon, assures me that the young man's injuries are trifling—a week will see him restored and presentable again."

Leafy Inclosures Dipping Below Sight Among Quaint and Huddled Quadrangles

"A week? A mere nothing!" I answered. "Do you know," I now suggested, "that you have forgotten to ask me what I was thinking about when we met?"

"Bless me, young gentleman! and was it so remarkable?"

"Not at all, but it partly answers what Mrs. Weguelin St. Michael asked me If a young man does not really wish to marry a young woman there are ways well known by which she can be brought to break the engagement."

"Ah," said Mrs. Gregory, "of course; gayeties and irregularities——"

"That is, if he's not above them," I hastily subjoined.

"Not always, by any means," Mrs. Gregory returned "Kings Port has been treated to some episodes——"

Mrs. Weguelin put in a word of defense. "It is to be said, Maria, that John's irregularities have invariably been conducted with perfect propriety."

"Oh," said Mrs. Gregory, "no Mayrant was ever known to be gross!"

"But this particular young lady," said Mrs. Weguelin, "would not be estranged by any masculine irregularities and gayeties. Not by any"

"How about infidelities?" I suggested. "If he should flagrantly lose his heart to another?"

Mrs. Weguelin replied quickly. "That answers very well where hearts are in question."

"But," said I, "since phosphates are no longer——?"

There was a pause. "It would be a new dilemma," Mrs. Gregory then said slowly, "if she turned out to care for him, after all."

Throughout all this I was getting more and more the sense of how a total circle of people, a well-filled, wide circle of interested people, surrounded and cherished John Mayrant, made itself the setting of which he was the jewel; I felt in it, even stronger than the manifestation of personal affection (which certainly was strong enough), a collective sense of possession in him, a clan value, a pride and a guardianship concentrated and jealous, as of an heir to some princely estate, who must be worthy for the sake of a community even before he was worthy for his own sake Thus he might amuse himself—it was in the code that princely heirs so should do, *pour se démaiser*, as they neatly put it in Paris—thus might he and must he fight when his dignity was assailed; but thus might he not marry outside certain lines prescribed, or depart from his circle's established creeds, divine and social, especially to hold any position which (to borrow Mrs Gregory's phrase "reflected ignominy" upon them all. When he transgressed, their very value for him turned them bitter against him. I know that all of us are more or less chained to our community, which is pleased to expect us to walk its way, and mightily displeased when we please ourselves instead by breaking the chain and walking our own way; and I know that we are forgiven very slowly; but I had not dreamed what a prisoner to communal criticism a young American could be until I beheld Kings Port over John Mayrant.

And to what estate was this prince heir? Alas, his inheritance was all of it the Past and none of it the Future; was the full churchyard and the empty wharves! He was paying dear for his princedom! And then, there was yet another sense of this beautiful town that I got here completely, suddenly crystallized, though slowly gathering ever since my arrival: all these old people were clustered about one young one. That was it; that was the town's ultimate tragic note: the old timber of the forest dying and the too sparse new growth appearing scantily amid the tall, fine, venerable decaying trunks. It had been by no razing to the ground and sowing with salt that the city had perished; a process less violent but more sad had done away with it. Youth, in the wake of commerce, had ebbed from Kings Port, had flowed out from the silent, mourning houses, and sought life North and West, and wherever else life was to be found. *O tempi passati, non ritornate mai!*

And John Mayrant? Why, then, had he tarried here himself? That is a hard saying about crabbed age and youth, but are not most of the sayings hard that are true? What was this young man doing in Kings Port with his brains, and his pride, and his energetic adolescence? If the custom house galled him, the whole country was open to him; why not have tried his fortune in Chattanooga, or Denver, or Seattle? Was it much to the credit of such a young man to find himself at the age of twenty-three or twenty-four, sound and lithe of limb, yet tied to the apron-strings of Miss Josephine, and Miss Eliza, and some thirty or forty other elderly female relatives?

With these thoughts I looked at the ladies and wondered how I might lead them to answer me about John Mayrant, without asking questions which might imply something derogatory to him or painful to them. I could not ever say to them a word which might mean, however indirectly, that I thought their beautiful, cherished town no place for a young man to go to seed in; this cut so close to the quick of truth that discourse must keep wide away from it. What, then, could I ask them? As I pondered, Mrs. Weguelin solved it for me by what she was saying to Mrs. Gregory, of which, in my preoccupation, I had evidently missed a part:

"——if he should share the family bad taste in wives."

"Eliza says she has no fear of that."

"Were I Eliza, Hugh's performance would make me very uneasy."

"Julia, John does not resemble Hugh"

"Very decidedly, in coloring, Maria."

"And Hugh found that girl in Minneapolis, Julia, where there was doubtless no pick for the poor fellow. And remember that George chose a lady, at any rate."

Mrs. Weguelin gave to this a short assent. "Yes." It portended something more behind, which her next words duly revealed. "A lady; but do—any—ladies ever seem quite like our own?"

"Certainly not, Julia."

You see, they were forgetting me again; but they had furnished me with a clew.

"Mr. John Mayrant has married brothers?"

"Two," Mrs. Gregory responded. "John is the youngest of three children."

"I hadn't heard of the brothers before."

"They seldom come here. They saw fit to leave their home and their delicate mother."

"Oh!"

"But John," said Mrs. Gregory, "met his responsibility like a Mayrant."

"Whatever temptations he has yielded to," said Mrs. Weguelin, "his filial piety has stood proof."

"He refused," added Mrs. Gregory, "when George (and I have never understood how George could be so forgetful of their mother) wrote twice, offering him a lucrative and rising position in the railroad company at Roanoke."

"That was hard!" I exclaimed

She totally misapplied my sympathy. "Oh, Anna Mayrant," she corrected herself, "John's mother, Mrs. Hector Mayrant, had harder things than forgetful sons to bear! I've not laid eyes on those boys since the funeral."

"Nearly two years," murmured Mrs. Weguelin. And then, to me, with something that was almost like a strange severity beneath her gentle tone: "Therefore we are proud of John, because the better traits in his nature remind us of his forefathers, whom we knew."

"In Kings Port," said Mrs. Gregory, "we prize those who ring true to the blood."

By way of response to this sentiment, I quoted some French to her. "*Bon chien chasse de race.*"

It pleased Mrs. Weguelin. Her guarded attitude toward me relented. "John mentioned your cultivation to us," she said. "In these tumble-down days it is rare to meet

with one who still lives, mentally, on the gentlefolks' plane—the *piano nobile* of intelligence!"

I realized how high a compliment she was paying me, and I repaid it with a joke. "Take care! Those who don't live there would call it the *piano snobile*."

"Ah!" cried the delighted lady, "they'd never have the wit!"

"Did you ever hear," I continued, "the Bostonian's remark—'The mission of America is to vulgarize mankind'?"

"I never expected to agree so totally with a Bostonian!" declared Mrs. Gregory.

"Nothing so hopeful," I pursued, "has ever been said of us. For refinement and thoroughness and tradition delay progress, and we are sweeping them out of the road as fast as we can."

"Come away, Julia," said Mrs. Gregory. "The young gentleman is getting flippant again, and we leave him."

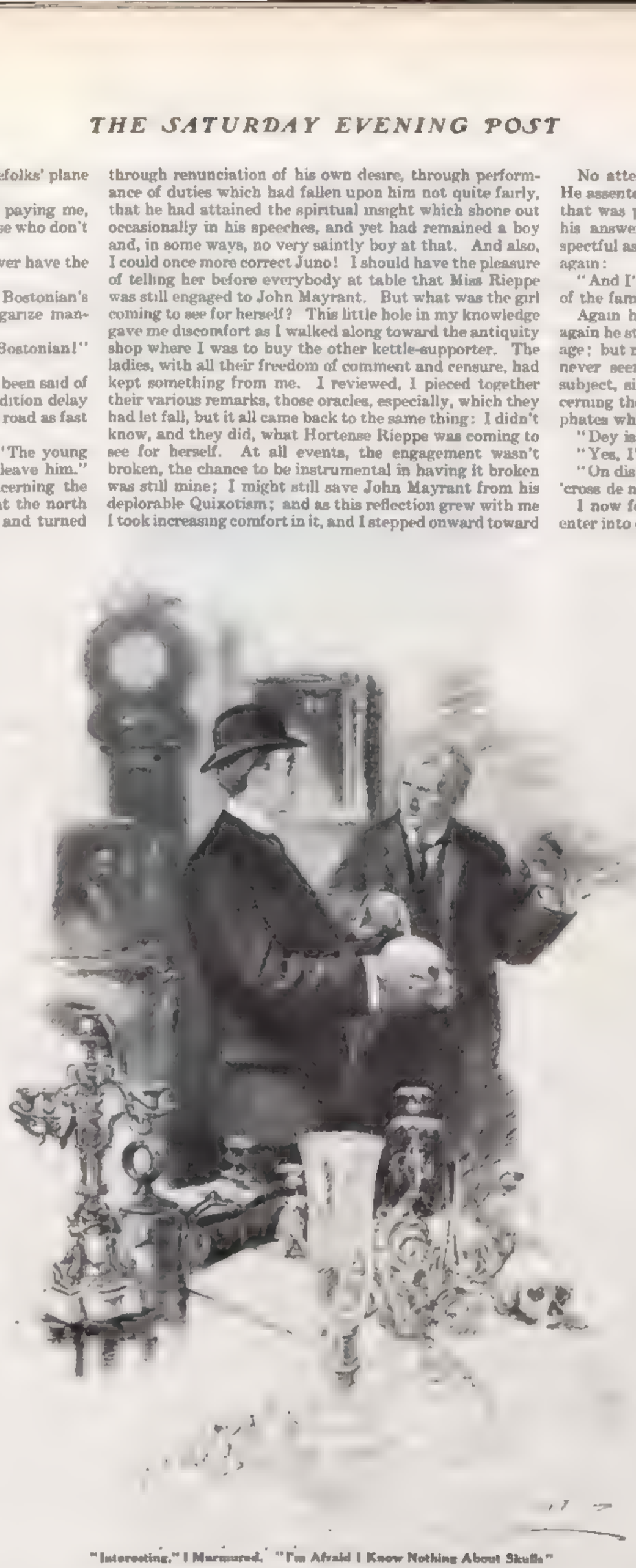
The ladies, after gracious expressions concerning the pleasure of their stroll, descended the steps at the north end of High Walk, where the parapet stops, and turned inland from the water through a little street. I watched them until they went out of my sight round a corner; but the two silent, leisurely figures, moving in their black and their veils along an empty highway, come back to me often in the pictures of my thoughts; come back most often, indeed, as the human part of what my memory sees when it turns to look at Kings Port. For, first, it sees the blue frame of quiet, sunny water, and the white town within its frame beneath the clear, untainted air; and then it sees the high-slanted roofs, red with their old corrugated tiles, and the tops of leafy inclosures dipping below sight among quaint and huddled quadrangles; and, next, the quiet houses standing in their separate grounds, their narrow ends to the street and their long two-storied galleries open to the south, but their hushed windows closed as if against the prying, restless Present, that must not look in and disturb the motionless memories which sit brooding behind these shutters; and between all these silent mansions lie the narrow streets, the quiet, empty streets, along which, as my memory watches them, pass the two ladies silently, in their black and their veils, moving between high, mellow, colored garden-walls over whose tops look the oleanders, the climbing roses, and all the taller flowers of the gardens.

And if Mrs. Gregory and Mrs. Weguelin seemed to me at moments as narrow as those streets, they also seemed to me as lovely as those serene gardens; and if I had smiled at their prejudices, I had loved their innocence, their deep innocence, of the poisoned age which has succeeded their own; and if I had wondered this day at their powers for cruelty, I wondered the next day at the glimpse I had of their kindness. For during a pelting cold rainstorm, as I sat and shivered in a Royal Street car, waiting for it to start upon its northbound course, the house-door opposite which we stood at the end of the track opened, and Mrs. Weguelin's head appeared, nodding to the conductor as she sent her black servant out with hot coffee for him! He took off his hat, and smiled, and thanked her; and when we had started and I, the sole passenger in the chilly car, asked him about this, he said with native pride: "The ladies always watches out for us conductors in stormy weather, sir. That's Mistress Weguelin St. Michael, one of our finest." And then he gave me careful directions how to find a shop that I was seeking.

Think of this happening in New York! Think of the aristocracy of that metropolis warming up with coffee the—but why think of it, or of a New York conductor answering your questions with careful directions! It is not New York's fault, it is merely New York's misfortune; New York is in a hurry; and a world of haste cannot be a world either of courtesy or of kindness. But we have progress, progress, instead; and that is a tremendous consolation.

XI—DADDY BEN AND HIS SEED

BUT what was Hortense Rieppe coming to see for herself? My talk with the ladies had made plain many dark things; I understood more of John Mayrant's character now, more of the destiny which had shaped his ends; his manhood had gained very much by what I had learned of his sacrifice; I saw how it came to pass through this, through renunciation of his own desire, through performance of duties which had fallen upon him not quite fairly, that he had attained the spiritual insight which shone out occasionally in his speeches, and yet had remained a boy and, in some ways, no very saintly boy at that. And also, I could once more correct Juno! I should have the pleasure of telling her before everybody at table that Miss Rieppe was still engaged to John Mayrant. But what was the girl coming to see for herself? This little hole in my knowledge gave me discomfort as I walked along toward the antiquity shop where I was to buy the other kettle-supporter. The ladies, with all their freedom of comment and censure, had kept something from me. I reviewed, I pieced together their various remarks, those oracles, especially, which they had let fall, but it all came back to the same thing: I didn't know, and they did, what Hortense Rieppe was coming to see for herself. At all events, the engagement wasn't broken, the chance to be instrumental in having it broken was still mine; I might still save John Mayrant from his deplorable Quixotism; and as this reflection grew with me I took increasing comfort in it, and I stepped onward toward my kettle-supporter, filled with that sense of moral well-being which will steal over even the humblest of us when we feel that we are beneficently minding somebody else's business.



"Interesting," I Murmured. "I'm Afraid I Know Nothing About Skulls"

Whenever I could do it without too much inconvenience, I so mapped out my walks and errands in Kings Port that I might pass by the churchyard and church at the corner of Court and Worship Streets; even if I did not indulge myself by turning in among the flowers, it was a pleasure to walk by that brick wall; it was built at a period when they couldn't build brick walls wrong, just as now they can't build them right, proportion being a lost art. Daddy Ben was at the iron gate; and so full was I of my thoughts concerning John Mayrant, and the custom house, that I was moved to have words with him on the general topic.

"Well," I said, "so Mr. John is going to get married!"

No attempt to start a chat ever failed more signally. He assented with a manner of mingled civility and reserve that was perfection, and after the two syllables of which his answer consisted, he remained as impenetrably respectful as before. I felt rather high and dry, but I tried it again:

"And I'm sure, Daddy Ben, that you feel as sorry as any of the family that the phosphates failed."

Again he replied with his two syllables of assent, and again he stood mute, respectful, a little bent with his great age; but now his good manners—and better manners were never seen—impelled him to break silence upon some subject, since he would not permit himself to speak concerning the one which I had introduced. It was the phosphates which inspired him

"Dey is mighty fine prostrate wukks heah, sah."

"Yes, I've been told so, Daddy Ben."

"On dis side up de ribber an' tudder side down de ribber 'cross de new bridge. Wuth visitin' fo' strangers, sah."

I now felt entirely high and dry. I had attempted to enter into conversation with him about the intimate affairs of a family to which he felt that he belonged; and with perfect tact he had not only declined to discuss them with me, but had delicately informed me that I was a stranger and as such had better visit the phosphate works among the other sights of Kings Port. No diplomat could have done it better; and as I walked away from him I knew that he regarded me as an outsider, a Northerner, belonging to a race hostile to his people; he had seen Mas' John friendly with me, but that was Mas' John's affair. And so it was that if the ladies had kept something from me, this cunning, old, polite, coal-black African had kept everything from me.

If all the negroes in Kings Port were like Daddy Ben, Mrs. Gregory St Michael would not have spoken of having them "to deal with," and the girl behind the counter would not have been thrown into such indignation when she alluded to their conceit and ignorance. Uncle Ben had, so far from being puffed up by the appointment in the custom house, disapproved of this. I had heard enough about the difference between the old and new generations of the negro to believe it to be true, and I had come to discern how evidently it lay at the bottom of many things here: John Mayrant and his kind were a band united by a number of strong ties, but by nothing so much as by their hatred of the modern negro. Yes, I was obliged to believe that the young African, left to freedom and the ballot, was a worse African than his slave parents; but this afternoon brought me a taste of it more pungent than all the assurances in the world

I bought my kettle-supporter, and learned from the robber who sold it to me (Kings Port prices for "old things" are the most exorbitant that I know anywhere) that a carpenter lived not far from Mrs. Trevise's boarding-house, and that he would make for me the box in which I could pack my various purchases.

"That is, if he's working this week," added the robber.

"What else would he be doing?"

"It may be his week for getting drunk on what he earned the week before." And upon this he announced with as much bitterness as if he had been John Mayrant or any of his aunts, "That's what Boston philanthropy has done for him."

I flared up at this. "I suppose that's a Southern argument for reëstablishing slavery."

"I am not Southern; Breslau is my native town, and I came from New York here to live five years ago. I've seen what your emancipation has done for the nigger, and I say to you, my friend, honest I don't know a fool from a philanthropist any longer."

I had no answer ready for this startling Teuton, and he continued:

"Oh, these Boston philanthropists; oh, these know-it-alls! Why don't they stay home? Why do they come down here to worry us with their ignorance? See here, my friend, let me show you!" He rushed about his shop in a search of distracted eagerness, and with a multitude of exclamations, until, giving one final screech of triumph, he pounced upon a shabby but learned-looking volume. This he brought to me, thrusting it with his trembling fingers between my own, and shuffling the open pages. At last the right one was found, a scientific portrayal of various skulls.

(Continued on Page 15)

THE BAD MAN

Quick with His Gun and Speedy to Its Grave

By EMERSON HOUGH

ENERGY and action may be of two sorts, good or bad, this being as near as we can phrase it in human affairs. The live wires that net our streets are dangerous, but we call electricity on the whole good. We lay it under law, but sometimes it breaks out and has its own way. These outbreaks will occur until the end of time, in live wires and live men. Each land and each age of the world produces bad men—and in time other bad men who kill them; this being the cautious way of Nature.

There are bad Chinamen, bad Filipinos, bad Mexicans and Indians and negroes, and bad white men. The white bad man is the worst bad man of the world, and the prize-taking savage of the lot is the Western white bad man. Turn the white man loose in a land free of restraint—such as was always that Golden Fleece land, vague, shifting and transitory, known as the American West, which now, alas! is gone—and he simply reverts to the ways of the Teutonic and Gothic forests. The civilized empire of the West has grown in spite of this, because of that other strange germ, the love of the law, anciently implanted in the soul of the Anglo-Saxon. Of course, the Saxon never does become civilized. Of course, the time will come when what we call our civilization will be but a wilderness again. There is nothing better than a dream under the dogma that the world is growing better. The world remains pretty much the same. This may seem to some a trifle misty, but at least it will serve as preface to the belief that the bad man of the West was pretty much like the rest of us.

That there was little difference between the bad man and the good man who went out and got him was frequently demonstrated in the early roaring days of the West. The religion of progress and civilization meant very little to the Western town marshal. Thus a crack gun-fighter from New Mexico was once appointed a town marshal, in which capacity he served well and seemly for many years. Then he reverted, or, in the language of the West, "went bad" again. He held up the bank, killed the cashier and another man, and fled with no great perturbation to meet a predetermined and philosophic death. He was a savage all the time, although part of the time a servant of the law.

We band together and "elect" political representatives who do not represent us at all. We "elect" executive officers who execute nothing but their own wishes. We pay innumerable policemen to take from our shoulders the burden of self-protection; and the policemen do not do this thing. Back of all the law is the undelegated personal right, that vague thing which none the less is recognized in all the laws of the world; as England and France of old, and Russia to-day, may show. This undelegated personal right is in each of us, or ought to be. If there is in you no hot blood to break into flame and set you arbiter for yourself in some sharp, crucial moment, then God pity you, for no woman ever loved you if she could find anything else to love, and you are fit neither as man nor citizen.

You Can't Crush the Individual

AS THE individual retains an undelegated right, so does the body social. It is useless to attempt the organization of trusts or unions among red-blooded men. It is the weak who organize, the strong who stand out alone, sufficient in their own skins. We employ politicians, but at heart most of us despise politicians and love fighting men. Some say they admire Theodore Roosevelt because he is such a good man. Are they absolutely sure that they do not admire him because, granted proper training and environment, he would have made such a good bad man? No great leader believes that there is such a thing as actual socialism in the world. Political socialism may come to

The Brazil Ranch, East of Old Fort Sumner. Once the Headquarters of Billy the Kid's Gang

America, and probably will, as a rebuke to two great, corrupt and treacherous political parties. It will mean simply the way in which we will kill off our bad men in commercial life. But again the individuals will break away and scatter, and bad men in some other form will arise, and the ancient adjustment will go on. Society and law are not absolutely wise or absolutely right, but only as a compromise relatively wise and right. The bad man, so called, may have been in large part only relatively bad.

This much we may scientifically declare, and without the slightest cheapness. It does not mean that we shall waste any maudlin sentiment over even a good type of desperado, and certainly it does mean that we shall have nothing but contempt for the pretender at desperadoism. Even in these days of effacement of the individual, we ought to be allowed to study one sort of American individual without the charge of special pleading.

Who and what was the bad man? Scientifically and historically he was even as you and I. Whence did he come? From any and all places. What did he look like? He came in all sorts and shapes, all colors and sizes—just as cowards do. As to identification, the only method was empirical. One cannot tell by looking at a mule's leg whether or not it will kick. Reputation, of course, became the herald of the bad man in due time. The "killer" of the West might be known throughout his State or in several States.

What distinguished the bad man in peculiarity from his fellowman? Why was he better with weapons? What is courage, anyhow? We ought to be able to answer these questions in a purely scientific way. We have machines for photographing relative quickness of thought and muscular action. We are able to record the varying speeds of impulse-transmission in the nerves of different individuals. If you were picking out a bad man, would you select one who on the machine showed a dilatory nerve response? Hardly. The relative fitness for a man to be "bad" could without doubt largely be predetermined by these scientific measurements. Of course, having no thought-machines in the early West, they got at the matter often by the graveyard route. You could not always stop to feel the pulse of a suspected killer.

The use of firearms with swiftness and accuracy was necessary in the calling of a bad man, after fate had marked him and set him apart for the inevitable though possibly long-deferred end. This skill with weapons was a natural gift in the case of nearly every man who attained great reputation whether as killer of victims or killer of killers. Practice assisted in proficiency, but a Wild Bill, or a Slade, or a Billy the Kid was born and not made.

Quickness in nerve action is usually backed with good digestion, and hard life in the open is good medicine for the latter. This, however, does not wholly cover the case. A slow man might also be a brave man. Sooner or later, if he went into the desperado business on either side of the game, he would fall before the man who was brave as himself and a fraction faster with the gun.

There were unknown numbers of bad men in posse, who died mute and inglorious after a life spent at a desk or a plow-tail. As between two men, perhaps one would take to the use of weapons, and so find himself arbiter of life and death with lesser animals, and able to grant either at a distance. He went on, pleased at his growing skill with weapons. He discovered that, as the sword had in one age of the world lengthened the human arm, so did the six-shooter, invented at precisely that time of the American life when the human arm most needed lengthening. The user of weapons felt his powers increased. So now, in time, there came to him a moment of danger. There was his enemy. There was the affront, the challenge. Perhaps it was male against male, a matter of sex, prolific always in bloodshed. It might be a matter of property, or perhaps it was some taunt as to his own personal courage. Perhaps alcohol came into the question, as was so often the case. For one reason or the other, it came to the ordeal of combat, the undelegated right of one individual against that of another. Even as the quicker set of nerves flashed into action, the arm shot forward, and there smote the point of flame as did once the point of steel. The victim fell, his own weapon clutched in his hand—a fraction too late. The law cleared the killer. It was self-defense. "It was an even break," his fellowmen said; although thereafter they were more reticent with him and less frequently sought him out.

"It was an even break," said the killer to himself—"an even break, him or me." But perhaps the repetition of this did not serve to blot out a certain mental picture. I have had a bad man tell me that he killed his second man to get rid of the mental image of his first.

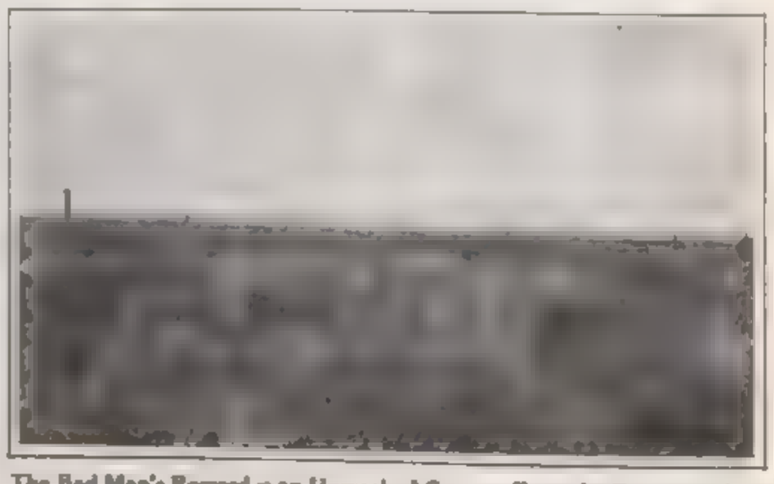
But this exigency might arise again; indeed, most frequently did arise. Again the embryo bad man was the quicker. His self-approbation now perhaps began to grow. This was the crucial time of his life. He might go on now and become a bad man, or he might cheapen and become an imitation desperado. In either event, his third man left him still more confident. His courage and his skill in weapons gave him assuredness and ease at the time of an encounter. He was now becoming a specialist. Time did the rest, until at length they buried him.

A Soft Tongue and an Iron Nerve

THE bad man of genuine sort rarely looked the part assigned to him in the popular imagination. The long-haired blusterer, adorned with a dialect that never was spoken, serves very well in Eastern fiction about the West, but that is not the real thing. The most dangerous man was apt to be quiet and smooth-spoken. When an antagonist blustered and threatened, the most dangerous bad man only felt rising in his own soul, keen and stern, that strange exultation which often comes with combat for the man naturally brave. A Western officer of established reputation once said to me, while speaking of a recent personal difficulty into which he had been forced: "I hadn't been in anything of that sort for years, and I wished I was out of it. Then I said to myself: 'Is it true that you are getting old and have lost your nerve?' Then all at once the old feeling came over me, and I was just like I used to be. I felt calm and happy, and I laughed after that. I jerked my gun and shoved it into his stomach. He put up his hands and apologized. 'I will give you a hundred dollars now,' he said, 'if you will tell me where you got that gun.' I suppose I was a trifle quick for him."

The virtue of the "drop" was eminently respected among bad men. Yet sometimes men were killed in the last desperate conviction that no man on earth was quick as they. What came near being an incident of that kind was related to me by Pat Garrett, a man who repeatedly served as sheriff years ago in three different counties of New Mexico, who was at times a ranger, a cattle detective, and in general a hunter of bad men. Garrett is now

"This is the Place," He Said—Where Billy the Kid was Shot



The Bad Man's Reward—an Unmarked Grave. From the Foreground in Order the Graves of Billy the Kid, Charley Bowdre and Tom O'Folliard

collector of customs at El Paso and of such reputation as a square man and one of peace that he is a rising figure in Southwestern politics. He deserves recognition by the country, for it was he who restored, or rather inaugurated, law and order over what was without doubt one of the most lawless and dangerous regions of the West—eastern and southern New Mexico. As I lived in that country myself at the time of Garrett's tenure as sheriff in Lincoln County, we two had planned a land voyage of some five or six hundred miles, with the purpose of visiting certain old scenes together. We were now driving across the wind-swept plateau near old Fort Sumner. When near the edge of the Pecos Valley he reined up and pointed to the southward.

"Down there, eight or ten miles," said he, "there used to be a little saloon, and I took a man there once. He came in from somewhere East, and was wanted for murder. The reward offered for him was twelve hundred dollars. As he was a stranger, none of us knew him, but the sheriff's description sent in said he had a freckled face, small hands, and a red spot in one eye. I heard that there was a new saloon-keeper in there, and thought he might be the man, so I took a deputy and went down one day to see.

The Man with the Red Eye

"I TOLD my deputy not to shoot until he saw me go after my gun. I didn't want to hold the man up unless he was the right one; and I wanted to be sure about that identification mark in the eye. Now when a bartender is waiting on you he will never look you in the face until just as you raise your glass to drink. I told my deputy that we would order a couple of drinks and so get a chance to look this fellow in the eye. I did look him in the eye—and there was the red spot! I dropped my glass and jerked my gun and covered him, but he just wouldn't put up his hands for a while. I didn't want to kill him, but I thought I surely would have to. He kept both of his hands resting on the bar, and I knew he had a gun within three feet of him somewhere. At last he slowly gave in. I treated him well, as I always did a prisoner. We put the irons on him and started for Las Vegas with him in a wagon. The next morning out he confessed everything to me. We turned him over, and later he was tried and hung. I don't remember his name. I always considered him to be a bad man. So far as the outcome was concerned, he might about as well have gone after his gun.

"One of the nerviest men I ever ran against," the ex-sheriff went on reflectively, "I met when I was sheriff of Donna Ana County. I was in Las Cruces, when there came in a sheriff from over in the Indian Nations, looking for a fugitive who had broken out of a penitentiary after killing a guard and another man or so. This sheriff told me that the criminal in question was the most desperate man he had ever known, and that no matter how we came on him he would put up a fight, and we would have to kill him before we could take him. We located our man, who was cooking on a ranch six or eight miles out of town. I told the sheriff to stay in town, as our man would know him and would not know us. I had a Mexican deputy along with me.

"I put out my deputy on one side of the house and went in. I found my man just wiping his hands on a towel after washing up his dishes. I threw down on him and he answered by knocking me down with his fist and jumping through the window like a squirrel. I caught at him and tore the shirt off his back, but did not stop him. Then I ran out of the door and caught him on the porch. I did not want to kill him, so I struck him over the head with the handcuffs I had ready for him. He dropped, but came up like a flash and struck me so hard with his fist that I was good and jarred. We fought hammer and tongs for a while, but at length he broke away, sprang through the door, and ran down the hall. He was going to his room after his gun. Just then my Mexican came in, and, having no sentiment about it, just whaled away and shot him in the back, killing him on the spot. The doctors said, when they examined this man's body, that he was the most perfect physical specimen they had ever seen. I have forgotten this man's name, too, but I can testify he was a fighter. The sheriff offered me the reward, but I would not take any of it. I told him I would be looking for some one over in his country some day, and was sure he would do as much for me."

It was at old Fort Sumner, as many in the Southwest may remember, that, in his first term of office as sheriff, Pat Garrett was called on to capture the notorious young desperado, Billy the Kid, then not over twenty years of age, but charged with nearly a dozen murders—most say he had killed twenty-one men; Garrett says nine. With the Kid at their chosen headquarters about nine miles east of Fort Sumner were Tom Pickett, one of the Lincoln County war fighters; Tom O'Folliard, another reckless character charged with murder; Dave Rudabaugh, who had killed his jailer at Las Vegas, and Charley Bowdre, formerly a small rancher on the Bonito, but of late turned killer. Garrett concealed his deputies in houses at Fort Sumner and put out scouts. One day he and some of his men were

Blazer's Mill, Where Roberts Fought the Gang of Billy the Kid

riding eastward of the town when they jumped Tom O'Folliard, who was mounted on a horse that proved too good for them in a chase of several miles. Garrett at last was left alone following O'Folliard. The latter later admitted that he fired twenty times at Garrett with his Winchester, but it was hard to do good shooting from the saddle at two or three hundred yards' range, so neither man was hit.

O'Folliard did not learn his lesson. A few nights later, in company with Tom Pickett, he rode boldly into town. Warned of his approach, Garrett, with another man, was waiting, hid in the shadow of a building. As O'Folliard rode up he was ordered to throw up his hands, but went after his gun instead, and on the instant was shot through the body.

"You never heard a man scream the way he did," said Garrett. "He dropped his gun when he was hit, but we did not know that, and as we ran up to catch his horse we ordered him again to throw up his hands. He said he couldn't, that he was killed. We helped him down then, and took him in the house. He died about forty-five minutes later. He said it was all his own fault and that he didn't blame anybody. I'd have killed Tom Pickett right there, too," concluded Garrett, "but one of my men shot right past my face and blinded me for a moment, so Pickett got away."

The remainder of the Kid's gang moved out a little farther into a stone house, ten miles from Fort Sumner, but this new refuge proved to be a veritable trap for them. Garrett and his men surrounded the house just before dawn. It was Charley Bowdre who first came out in the morning, and as he stepped in the doorway his career as a bad man ended, three bullets passing through his body. The rest of the gang later surrendered and were taken to Santa Fe. Here the officers had their most dangerous experience, for a mob was formed which stopped the railroad train in the depot yards, threatening to kill both prisoners and officers. As Garrett had accepted the surrender of the prisoners on the condition that they should all be taken safely to Santa Fe, he felt both his life and honor at stake. "Give me a six-shooter, Pat," said Billy the Kid, "and if they come in the car I'll help you, and I won't hurt you, and if they don't kill me I'll go back to my seat when it's over. You and I can whip the whole of them." This compact between the bad man and his captor was actually made, but at the last moment the leaders of the mob weakened and the train pulled out.

The End of William

LATER Billy the Kid was tried at Mesilla, and condemned to be executed at Lincoln. A few days before the day set for his execution he killed the two deputies, Orrendorf and Bell, who were guarding him, and broke back to his old stamping-grounds around Fort Sumner. "I knew now that I would have to kill the Kid," said Garrett, speaking reminiscently of the old bloody scenes. "I followed him up to Sumner, as you know, with two deputies, John Poe and Tip McKinney, and I killed him alone in a room up there in the old Maxwell house."

He spoke of events now long gone by. It had been only with difficulty that we located the site of the building where the Kid's gang had been taken prisoners, the structure itself having been torn down and removed by an adjacent sheep-rancher. As to old Fort Sumner, once a famous military post, it offered nothing better than a scene of

The Graveyard at Blazer's Mill, Where Dick Brewer and Buckshot Roberts are Buried Side by Side

desolation, there being no longer a single human inhabitant there. The old avenue of cottonwoods, once four miles long, is now ragged and unwatered, and the great parade-ground has gone back to sand and sage-brush. We were obliged to search for some time before we could find the site of the Maxwell house, in which was enacted the last tragedy in the life of a once famous bad man. Garrett finally located the spot, now only a rough quadrangle of crumbled earthen walls.

"This is the place," said he, pointing at one corner of the grass-grown oblong. "Pete Maxwell's bed was right in this corner of the room, and I was sitting in the dark and talking to Pete, who was in bed. The Kid passed John Poe and Tip McKinney, my deputies, right over there on what was then the gallery, and came through the door right here. He could not tell who I was. 'Pete,' he whispered, 'who is it?' He had his pistol, a double-action .41, in his hand, and he motioned toward me with it as he spoke, still not recognizing me. That was about all there was to it. I supposed he would shoot me, and I leaned over to the left so that he would hit me in the right side and not kill me so dead but what I could kill him too. I was just a shade too quick for him. His pistol went off as he fell, but I don't suppose he ever knew who killed him or how he was killed."

Twenty-five years of time had done their work in all that country, as we learned when we entered the little barbed-wire inclosure of the cemetery where the Kid and his fellows were buried. There are no headstones in this cemetery, and no sacristan holds its records. Again Garrett had to search in the salt grass and greasewood. "Here is the place," said he at length. "We buried them all in a row. The first grave is the Kid's, and next to him is Bowdre, and then O'Folliard. There's nothing left to mark them."

So passes the glory of this world. Even the headboard which once stood at the Kid's grave—and which was once riddled with bullets by cowards who would not have dared to shoot that close to him had he been alive—was gone. It is not likely that the graves will be visited again by any one who knows their locality. Garrett looked at them in silence for a time, and turning, went to the buckboard for a drink at the canteen. "Well," said he quietly, "here's to the boys, anyway. If there is any other life, I hope they'll make better use of it than they did the one I put them out of."

Brave Men's Sons

AS BETWEEN Pat Garrett and Billy the Kid, for instance, a case of a good man and a bad man, neither was afraid of the other. Each had qualities that the other respected. We talked over some of these things philosophically. "I believe a man who wants to do what is right is braver than one who does not," said Garrett. "Also, I believe that to be clean game a man has got to be well born. Now, I couldn't imagine that any one of my boys would ever be a coward."

There was no one part of the remoter West which could claim any monopoly in the product of hard citizens, but there can be small challenge to the assertion that southeastern New Mexico for twenty years after the Civil War was, without doubt, as dangerous a country as ever lay out-of-doors. The Pecos Valley caught the first of the great west-bound Texas cattle herds at a time when the maverick industry was at its height. Old John Chisum had perhaps sixty to eighty thousand head of cattle. It was easier to steal these cattle than to raise cows for one's self. As for refuge, there lay the central mountains of New Mexico. As for a market, there was the military post of Fort Stanton, with the beef contracts for supplying the Mescalero Indian reservation. Between the market and the Pecos cow herds ran the winding valley of the Bonito, like a cleat on a vast sluiceway. It caught bad men naturally. Thus the Lincoln County war of 1879 to 1880 was a matter of topography rather than of geography. It was foregone that there should be factional fighting in that country sooner or later. Some of the Chisum cow-punchers turned out as thieves, and gradually from these and other complications became evolved the famous Murphy and McSween factions, who engaged in fighting so bitter that the Government of the United States took a hand, deposed Governor Axtell of New Mexico, and sent out General Lew Wallace with extraordinary powers, and orders to stop the killing. There were perhaps two hundred men killed in southeastern New Mexico from 1875 to 1881. The four Harrell boys, fighting men from Texas, probably killed sixty to seventy-five men in a private war of revenge.

Billy the Kid was a product of this sort of environment. Opposed to him was his former friend Jesse Evans, another bad youngster who carried several notches on his gun. Hendry Brown came out of this school, and Frank Baker and Billy Morton—the latter two both killed by the Kid, who was once their friend. Tom Hill, who committed the first murder in the Lincoln County war, was later killed by a Dutch sheepherder near where Alamogordo stands to-day, and at the same time Jesse Evans was badly shot.

(Continued on Page 22)

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Poor Richard Junior's Philosophy

¶ The last hard pull gets over the hill.

¶ Eternal vigilance is the price of celibacy.

¶ Satan finds books for idle hands to write.

¶ Welcome the coming; feed the parting guest.

¶ There are moments when one wants to make a loan.

¶ It is a wise ancestral tree that knows its own branches.

¶ An acquaintance is the friend who borrowed money from you.

¶ Many a man would like to be a poet were it not for the poet's income.

¶ Those who live within their incomes are likely to live without worry.

¶ From the sublime to the ridiculous is a short ride from Boston to Newport.

¶ When poverty flies in at the door, love goes out in an automobile with another man.

¶ These things a woman should keep: her house, her temper, her servants, her figure and her husband.

¶ One of the mysteries of a public man's life is how his friends see everything bad and miss everything good that is printed about him.

¶ Don't overdo. Once a man went forth and scattered flattery indiscriminately. When he returned his office was crowded with persons who wanted to borrow money.

Who Runs the Railroads?

IT IS a shocking fact that the two interests which pay the largest salaries—railroads and the life-insurance companies—get the poorest service. What the big life companies get in return for their enormous salary-roll is now generally understood. The case of the railroads is almost as bad.

Harsh, iconoclastic judgments should ever be deprecated, but it is in order to remark, with all the good nature in the world, that American railroads, in the most essential particular, run themselves. If the peanut trade, the retail grocery business and the groggery industry were not guided by a higher order of economic intelligence than that devoted to the conduct of railways they would be in perpetual bankruptcy. The basic problem of business is to find out at what price an article must be sold in order to produce a profit. The railroad managers, by their own admission, make no attempt to solve this problem in their business. They accept whatever price they can get from persons who are in a position to bargain with them, and exact the utmost from those who are at their mercy. The business has prospered simply because so many people were at its mercy, not because it has been managed with ability.

It is universally admitted that for twenty years, the most important problem in railroading, for the roads themselves as well as for their patrons, has been to save the carriers from falling prey to the big shippers. The roads have expended some hundreds of millions in high salaries, meanwhile, but have hardly come a step nearer the goal.

Occasionally some railroad man—notably President Stickney, of the Great Western—rises and utters comments in this direction. Such comments, unfortunately, are sometimes heated by personal feeling or darkened with cynicism. It is well, therefore, to restate the fact of managerial incompetence in a mild and cheerful yet firm manner.

Shortcomings of the Ballot

BUSINESS, naturally, is sensitive to elections. The chief point with business pure and simple is to find out what the sovereign people propose—what conditions they are going to establish. It is an axiom that is half true that any possible tariff is better than a state of uncertainty as to what the tariff will be.

The principal nerve-centre of the business body suffered a painful little spasm on Wednesday, November 8. In New York Mr. Hearst, standing for municipal ownership, lower street-car fares and the like, came so near being elected, on the face of the returns, that a recount might easily seat him in the mayor's chair. Some hundreds of millions of dollars are invested in New York's public utilities. The Hearst platform frankly threatened an immense readjustment of values. The Republican party was defeated in Pennsylvania and Ohio, which might well give tariff-protected manufacturers pause. In the former State a Fusion candidate was elected. Other hundreds of millions find employment in the liquor traffic.

Of course, we are assured that the election, in fact, had no conclusive business significance; that the votes for Hearst and against the Republicans in Pennsylvania and Ohio were merely protests; that of the two hundred thousand who cast a ballot for municipal ownership, the most had their fingers crossed; that the reform movement in Pennsylvania is as negligible commercially as ever. But this is not satisfactory. It is like getting an utterance from the oracle and then having to take the priest's word for it as to what the oracle really meant. Suppose the interpreters are mistaken. Suppose the voters really had in mind what the face of the returns suggests.

No doubt it would be impracticable to have each voter write an essay on the back of his ballot explaining why he voted that way. But we might at least have ballots of different color—a red Hearst ballot signifying disgust with Tammany, a blue one meaning a protest against high finance, a pink one expressing indignation over the air in the subway, a yellow one municipal ownership, and so on. By properly blending the colors the voter could reveal most of his leitmotifs and the business world get a clearer notion of what was coming.

The Folly of It

ABOUT ninety out of every hundred murders, the world through, are done by habitual drinkers when drunk. In some countries the proportion is less, in others greater; in none does it fall below eighty in the hundred. For other crimes the statistics are less complete; but we know that the crimes are all plotted in the dives and dens that flourish through the drink habit. Finally, the whole business issues from the instinct for sociability. Two friends meet and wish to have a talk. The convenient place is the saloon; the natural aid to free conversation is drink.

It is a stupid performance. Nothing is worse for the general fibre of the body than gulping down liquids, other than water—water being one of the two great free natural foods of the body. To drink "soft stuffs" or "hard" is more or less to poison and debilitate one's self.

The remedy? It is the universal remedy—the spread of good sound common-sense, enlightened by knowledge of the constitution of the body and the value of, and the ease of health. It is not easy to induce men to stop things because they are mildly wicked—the mania for being a little of a "cuss" is not confined to college boys. But it is very easy to stop anything that comes to be regarded as stupid and silly.

The Promoter's Obscuration

BUSINESS in the United States is at flood-tide. All the stock indications show it. If the thing could be exactly measured it would no doubt be proved that material prosperity is even now at the highest pitch ever known. Yet you hear very little of that prosperity tout the promoter who was cutting so great a figure some seven years ago. No new industrial flotations are proposed. None of importance has been offered this year.

Six and seven years ago nearly all the industries of the country were taken in hand by the promoter who combined them and capitalized them into preferred and common stock to the amount of five billions or so. Surveying his handiwork to-day one might suppose that it had been struck by a tornado, instead of having enjoyed a long summer of splendid commercial weather. Out of a hundred companies that were floated in the halcyon days of trust-building, perhaps six will now be found paying a dividend on the common stock, while some have been unable even to earn the stipulated rate on the preferred shares and others have gone hopelessly to wreck.

This is not the fault of the times or of any general condition. It is the fault of a persistently crude imagination. We ought to know by this time that the sky is actually unattainable by man; that the tower of Babel would have failed to reach the empyrean dome even without the harsh expedient which was thought advisable in that case. The greatest of the promoters declared that deductions drawn from past experience no longer counted—in other words, we were going to build right into Heaven. The financial public was in a frame of mind to believe it then. That is why the promoter no longer attracts attention to himself, but, on the contrary, is mostly engaged in trying to live it down.

Good times have the expansive effect of sunshine. There may be moments when the blue looks only three-quarters of a mile away and solid as rock; but, if you are tempted to order building material, pause and reread some of the prospectuses of 1898.

The People Pay

WE HAD columns on columns, pages on pages, about the war between Japan and Russia. We were told in detail everything there was to know, and a great deal more, of its strategy and its heroes, its battles, sieges, victories, glories. But the most important fact of all—next to the treaty of peace—was dismissed in a few lines which probably escaped the eyes of most readers of the newspapers.

That fact is: When the war began the national debt of Japan was six dollars per capita; now the national debt of Japan is twenty-seven dollars per capita.

This is not the full measure of the cost of the war—to the victor. It is simply the best available concrete indication of the stupendous burden the war has put upon the shoulders of the Japanese people. In a country where the resources are very limited, where labor gets but a few cents a day, what pinching and starving, what miseries of poverty and disease, those new burdens mean to the millions of the Japanese masses! For out of the sweat and blood of the masses of a people come all the public taxes!

Less Law and More Justice

NOW comes a new and wonderful remedy for the oppressions and exactions of the monopolist and secret freight-rate sandbaggers and operators of faked or stolen franchises. Their offenses are all clearly defined upon the statute-books. They are thieves—just plain, grand-larceny thieves. They have violated the laws against larcenies. One would say: "The way to stop this business is to enforce the laws." Not at all! Not at all! Here is the proper procedure: Since these men have violated existing laws, we must get at them by passing laws forbidding men to violate laws. And, should that dire threat fail of its purpose, then let us assemble Congress or the Legislature, and pass laws forbidding men to violate laws that forbid them to violate laws. More laws, and still more laws, yet again more laws, until the sheep on ten thousand hills cannot give up skin enough to engross them upon or to bind them in.

About the best thing that could happen would be to repeal all our criminal statutes, and in their place enact a selective few of the Ten Commandments, with appropriate sanctions attached by way of clinchers.

Others Have Lived Through It

ONE is sorry to hear the packers arguing that their car lines are private concerns which the Government has no business to inquire into—not that it will make any particular difference in the end, but merely because it shows how far back in the Middle Ages they are living and how much it will distress them to be inducted into that modern state of mind to which the drift of events is irresistibly leading them. Whoever thinks he has any business which society cannot inquire into and alter if it pleases has a bad tooth which he would best have drawn at once.

It may be recalled, incidentally, that when President Roosevelt, in an extra-official adventure, took up the matter of the great coal strike, his course was bitterly denounced as a wicked invasion of sacred private rights. He was accused of flying in the face of Providence, which, in a truly inscrutable wisdom, had selected Mr. Baer and others to run the coal mines. Many serious-minded persons saw little less than ruin and anarchy ahead. The day the packers made their plea Reading common stock touched 139½—an appreciation of well over one hundred per cent., or, say, seventy-five million dollars, since the President so iniquitously invaded its private rights. The hard-coal men, in fact, never before reached any such state of prosperity as they have enjoyed since the invasion, and everybody now knows that they promptly raised the price of coal to the consumer enough to cover the increased wages which the President's commission ordered—and about twice as much more for good measure. Private rights possessing such inherent vigor and such generous capabilities of self-protection can suffer a great deal of Government "interference" before they reach the withering period.

Quitting the Strenuous Life

On the Pheasant Farm

By FORREST CRISSEY

IF THERE is an occupation capable of yielding a livelier delight to the eye than that of pheasant farming, it is beyond the reach of the average imagination. And that such farming may be profitably followed by persons of limited means wishing to make it a way of escape from the hardships of "the strenuous life" I am fully convinced. Pheasant farming is admirably adapted to the limitations of persons who cannot do heavy physical work, yet who desire a calling which will take them much out-of-doors, but which has few, if any, dirty or disagreeable features and many that minister to the finer sensibilities. This is only another way of saying that women will find the breeding of pheasants especially agreeable and possessing all the qualifications of a distinctive feminine calling.

Again, it falls naturally within the lines of the professional man, particularly if he is located in a country town. The pastor of the village church, for example, is often hard pressed for means by which he may add a little to his income without offending the proprieties or doing violence to the dignity and the traditions of his position. Generally his attempts to "earn a little on the side" take the form of labor at the desk, which adds to the burden of his mental tasks. What pursuit could be more ideal for the country minister than that of pheasant breeding? It takes him away from the exacting intellectual application of the study; it gives mild and regular exercise in the open air, it feeds and stimulates the love of beauty in form and color; it requires only a small initial investment, involves a low outlay in the matter of current expense, and is one of the few vocations capable of being profitably conducted on a small scale as a side issue; it can be carried on in comparatively cramped quarters, and the high price at which the birds sell makes possible a very respectable sum in profits on a small flock.

The same considerations which make pheasant farming an ideal avocation for the village pastor commend it to the lawyer, the clerk, the accountant, and the woman who wishes a home occupation that will increase the family income.

Belgium is one of the greatest pheasant-breeding countries of the world, and there the raising of the birds is mainly done by families, in a small way, large propagating farms being almost unknown there. It is scarcely too much to say that by far the greater number of pheasants shipped from Belgium are raised by women.

One housewife, for example, keeps only Golden pheasants and makes it her ambition to breed the finest specimens of that species. If she is fairly successful, she makes a reputation with the dealers at Antwerp, which is the great market for fancy fowls, birds and pets generally. The lucky breeder commands the highest market prices if he achieves a name with the dealers as one who may be relied upon for a choice strain of a certain species. By devoting one's energies to a single kind of bird one stands a far better chance of success than by attempting to handle several varieties.

There is a sharp line of division between the English pheasant and all the other varieties. The English pheasant is a game bird and, for that reason, is in great demand for the stocking of both public and private preserves. That this demand will, for many years to come, increase instead of diminish is the opinion of those who are most familiar with the game supply conditions of this country. Certainly the demand to-day is many times in excess of the supply. Grouse, quail and prairie chicken are rapidly being exterminated, and the number of sportsmen is on the increase. The pheasant is a magnificent bird for shooting, is hardy and able to stand our severe Northern winters; therefore, State game authorities, sportsmen's clubs and the owners of country estates are rapidly awakening to the advantages of stocking their preserves with these birds—and are spending thousands of dollars annually in putting out breeders.

Again, the breeder of English pheasants may fairly consider the possibilities of raising pheasants for the direct supply of the market. This demand is so keen that hundreds of these birds, properly iced, are imported from England and sell at from eighteen to twenty-four dollars a dozen. If birds can be brought from England and sold at a profit at these prices, it must be evident that birds raised here and marketed at these figures will yield a fancy margin. And the person who goes into pheasant farming will always need to consider, to some extent, the table market, because of the surplus of cock pheasants to

A "Reeves" Cock

be found in every flock. If the eggs of these birds hatched three to six hens to each cock, the ratio would be about right for breeding purposes, and the pheasant farmer in America would have—at least for many years to come—no cause to send any of his cocks to the table. Unfortunately, however, about as many cocks as hens are hatched, and this misfit of production calls for the sacrifice of some of those males whose plumage is so beautiful that to kill them seems little short of sacrilege.

It is true that many English pheasants are sold for show birds; but it is also true that the person who takes up this branch of the business must look mainly for his market to the game preserves and to the tables of the wealthy.

On the other hand, all other varieties of pheasants are classed as "fancy." They are too costly to be considered as game birds, although they are as delicate and delicious when served on the table as are the English birds. They are generally bought for show purposes and go to public parks in the large cities, to the aviaries of the wealthy, and to the great country estates where they are liberated to embellish the landscape with their splendid plumage, instead of being cultivated to appease some man's passion for sport.

These conditions reduce the problem of the prospective pheasant breeder to a simple choice between raising game birds or show birds. The demand for the game birds no doubt will continue to be strong long after the aviaries of the country have been fairly well supplied with specimens of the gorgeous Lady Amherst, Golden and Reeves varieties for the pure delight of the eye. But it seems improbable that this demand for the "fancy" pheasants will be filled for many years to come. As yet they are comparatively few in number in this country; they make a more brilliant show in a public or a private aviary than almost any other bird obtainable for comparatively a small sum, and their decorative value on the lawn of a country home is daily becoming more keenly appreciated. Then, too, the treatment they receive in the cages of public parks and natural history museums is not conducive to their longevity. Consequently, these cages are frequently refilled. As the cocks are of the most beautiful plumage, a resourceful and energetic breeder of fancy pheasants can generally manage to sell his surplus males for display purposes where breeding is not contemplated.

Undoubtedly the largest pheasant farm in the world is that operated by Wallace Evans, a lad only nineteen years old. It occupies one hundred acres and is located within fifteen miles of Chicago's Court House. Although it is scarcely outside the city limits of a "two-million metropolis," probably not one thousand Chicagoans are aware of its existence. At the height of the season about 4500 birds are to be found on this great breeding preserve. Of these a few are wild ducks and geese, but most of them are pheasants—the English and Golden being in the majority.

The young master of this great pheasantry came naturally by his love of birds, since his father raised them in Wales, and has encouraged his son in the development of this novel enterprise. Young Wallace Evans started with a trio of birds when he was a boy of ten years. Then he lived in a populous suburb and had a small back-yard aviary—at first consisting of a pen about twelve by fifteen feet. In the nine years which have passed since then his tiny aviary has expanded into the largest pheasant farm in the world, and he has become a recognized authority in this peculiar calling. Here is what he has to say regarding his own experience and the feasibility of pheasant farming as an avocation leading out of "the strenuous life":

"My first two or three years in the work had a lot of disappointments, because the business of pheasant raising in America was then just a new thing—an experiment; hardly any one knew anything about it. Certainly if there was a breeder who did have the practical experience he was not giving out its benefits to amateurs. Of course I had, from the beginning, the benefit of my father's advice, and he had raised some English pheasants in Wales—but things there and here are different, and so in a good many matters I had to feel my way and pay in hard knocks for the knowledge I gained as I went along.

"However, in my little back-yard plant I showed that fifty to seventy-five birds can be raised in a season on a lot seventy-five feet long and fifty feet wide. One season I actually raised seventy-five birds on a piece of ground of that size. Now that I have plenty of room, I do not attempt to work on quite so hard a plan, but my experience in the back-yard of our Oak Park home taught me what could be done in cramped quarters. When I had been operating three years, I was selling eight hundred eggs a season, and hatching almost that number of birds. For the English pheasant eggs I received five dollars a setting of fifteen and for the eggs of the Golden I received ten dollars a dozen. At that time, Golden pheasants brought thirty dollars a pair for good breeders.

"Although I found the production of birds and eggs decidedly profitable, I put all the money I cleared, and much more with it, into expanding my enterprise and introducing new blood into it, importing from Antwerp and from England the finest specimens of the best varieties that I could buy. Seeing that at no time could I meet the demand made upon me for birds—or for any kind of them—I became sure that pheasant farming could be made a regular industry and a profitable one. Because this has been done and I am still actively in the business I cannot be expected to enter into details as to expenses, profits and other matters to the extent that I would if pheasant breeding was a side issue instead of a business in which I have some thousands of dollars invested.

"At the same time, I do not hesitate frankly to say that I have found it profitable, and very profitable; that those who will follow it with a fair degree of care, energy and common-sense will also find it profitable, whether conducted upon a small or a large scale. This condition will, I firmly believe, continue for many years to come. But as an avocation for the suburbanite or the villager it is especially practical.

A Flock of English Pheasants in Winter

"There is only one light avocation of a pastoral kind with which pheasant breeding may not be successfully combined—and that is bee keeping. Of course, if only a few birds are kept and these are closely housed the amount of bees they will destroy will not be of any consequence. However, a large flock roaming a clover field will put away hundreds, not to say thousands, of bees each day while the blooms last. But with squab and chicken raising the breeding of pheasants combines most naturally and economically. And the pheasantry will pay much better profits than the squabs or the chickens.

"If any explanation is needed as to why pheasant culture combines naturally with chicken and squab farming, let it be said that common hens—Plymouth Rocks in particular—are the best pheasant hatchers and mothers of which I know. Then the main ingredients of the best food rations for pigeons and for hens are the basis of the ideal food combination for pheasants. Also, much the same experience is required in handling pheasants as in raising pigeons and poultry. There are, of course, essential points of difference, but there are many points of similarity which make the combination a good one.

"Naturally the prospective pheasant breeder is anxious to know about what will be the cost of birds with which to begin his enterprise and what he may fairly get for birds when he has them to sell. Both questions are answered by the same set of figures: English pheasants are standard at five dollars a pair; in fact, when sold by the hundred they bring $4.50. Goldens and Silvers range from twelve to eighteen dollars a pair. Although the Silvers are large birds and the Goldens small, the latter are, I think, more generally sought after. The Lady Amherst and the Reeves varieties are remarkable birds and readily command from twenty-five to thirty dollars a pair. When we come to the Elliott and other very expensive kinds these figures are made to look small. But it is idle to attempt to carry the comment on the varieties beyond what has already been mentioned, for they are too numerous. Besides, the more staple and practical varieties are those I have named.

Wintering a Covey of California Quail

"My own experience has shown that an English pheasant hen lays forty to seventy-five eggs a season. A hen of the Golden, Silver, Lady Amherst or Reeves variety will range from fifteen to thirty.

"I would say to a prospective purchaser: 'Take no chances on eggs—buy the birds themselves.' But there are those who prefer to risk the total failure of a setting for the chance of getting a phenomenal hatch. Whether setting eggs laid by your own pheasants or those bought from a breeder, I would advise putting them under a Plymouth Rock hen—or a bantam. Hens of these breeds are natural mothers. Although a bantam cannot cover more than eight pheasant eggs, her lightness and deftness of movement make her a most successful hatcher and nurse.

"If you desire to start out raising English pheasants a cock and five hens is about the right proportion. These will cost about seventeen dollars and expressage. These are the hardiest of all the pheasant kind and do not require warm so much as dry housing. They play in the snow when the thermometer stands fifteen to twenty below zero and show no ill effects. As I have explained, the English multiply about twice as rapidly as the fancy pheasants.

"In case the beginner has a liking for the Goldens, or any of the other expensive breeds, a trio will be sufficient for a start. These will not breed successfully if under two years old, and care should be taken in buying to see that this contingency is provided for. English pheasants breed all right when one year old. Not more than ten or twelve Golden eggs should be put under a common Plymouth Rock hen, but fifteen English eggs will be covered by the same fowl.

"Nests should be directly on the ground, in a slight depression littered with straw. A pheasant hen begins laying about the middle of April and continues through the hot season. Be sure to set your eggs before the oldest of them is more than two weeks old. Pheasant eggs must be under the hen twenty-three days before hatching. For several months I have had, constantly, not fewer than five thousand pheasant eggs under hens and in process of hatching.

"Another interesting adjunct of the bird farm is the California Valley quail. These neatly tufted little creatures run with the English pheasants and thrive on their food. Instead of covering our pens with woven-wire we cut the wings of all the young birds when they reach the troublesome age.

"This is done systematically—as all things must be done when birds are raised and handled by the hundreds and thousands. The pens in which the birds are kept are of woven-wire fencing six feet in height.

"To keep mink and men from preying upon the birds at night a dog patrol surrounds the pens. The dogs are tethered to 'trolley wires,' which allow each one of them to cover his own beat, but not to leave it. They have each other for company, and they put a cordon about the place that only a very cunning mink or a courageous man can break through."

GOVERNOR BY DRAFT

A Twenty-four-Hour Cross Section of Practical Politics

By HOLMAN F. DAY

Author of Squire Phin, etc.

PART ONE

SAY, my friend, I never was outdoors when the outside of things contrasted so queerly with the inside of things as I knew them to be sizzling that night.

It was one of those melty, "feather-foot" winter nights: damp snowflakes dropping like plummets, and every now and then—gr-r-r, plog!—a snowslide from a roof made me jump as though I were expecting bombs.

Sleigh-bells jangled dully and, though the streets of the State capital were thronged, a soft-stop seemed to be on everything. Voices had no resonance. The hush was everywhere. It seemed to be impossible to make a noise. And as every one in the city understood perfectly well that the sternest, bitterest, most acute and most exciting political crisis the State had ever known was about to reach its climax, the hush seemed weird and ominous.

Members of the Legislature, hurrying from hotel to hotel, felt the gloom and the silence of that night and shuddered. They blinked the snowflakes from their eyes and gazed up at the State House, towering on its hill and dominating the city. Its hundred eyes of windows glowed balefully through the snow-clouds.

Outside the bristling iron fence, sleepy National Guardsmen, who had been hastily summoned from good homes and who were accustomed to warm beds, trudged the snow-grooves of their beats. I was knowing to it that a hundred or more of the State's soldiers dozed, gun in hand, on the settees in the dimly-lighted rotunda. The night before, a fellow had caught the button of his military overcoat between the slats of a settee, thought in his dream that some one was holding him, jumped up, fell down with the settee on top, yelled for help, and a dozen of his fellow-soldiers began firing in every direction. That's a sample of the nervousness some people were laboring under.

All the Capitol entrances were locked except the big door opening to the side *porte-cochere*, and here two Guardsmen stood, wearily shifting from foot to foot. I had seen them that afternoon.

And this was the beautiful situation that fronted the statesmen met to legislate for the common weal! For my part, I kept wishing I was home again, instead of being a Senator-elect, and in for a clinch along with the also-rans.

Like a Mediator with a Halo

I'm sorry to say that there'll be considerable repetition of "I" in this little story, but I can't prevent it. Getting me into it was none of my doings. I was picked up and thrown in—and so the "I's" follow.

First of all—and this started the thing—I found my humble self turned to utility as the sugar-coating for a certain bitter pill that the Republicans were proposing to pop down Governor Southwick's throat.

It may not be courteous, exactly, to call a United States Senator a pill, but it is a certain thing that he wasn't in any way a sugar-plum that evening.

He had humped it into the State from Washington in the afternoon, it being the eve of his expected reëlection by that Legislature, and had taken over general command of the "hog-wrassle," as the granger representatives were calling it. He found the Republican State committee, and the Republican State Senators, and the Republican members of the House, and the loyal office-holders, and the party generally, sitting in the hotels of the State capital on this ragged selvage-edge of the assembling of the Legislature, looking like a "row of wishful cats at milk-strainin' time," as old Bafe Linscott up our way would say. And the first thing the Senator did after washing the car-dirt off his face was to damn around because they hadn't done something for themselves.

Of course, you've got to know the situation to appreciate what happened; and I'll tell it in two winks:

No election by the people that year—the clumsy majority law still gagging the popular voice—and choice of a Governor was to be thrown into the Legislature. The Honorable Solemn Sterling Southwick, Governor, and his executive council of seven, had acted as returning board to examine the returns, as the law provides, and by their figuring of technical errors in a mighty close election according to a system that was delightfully ingenious legally, while it was unjust morally—I'm a Republican, understand!—they had counted out enough Republicans to make the Legislature Fusion by a working majority.

The Fusion members on organization would then have it in their power to fill vacancies in their own bodies to suit themselves. See?

The six Republican judges of the Supreme Court of the State reviewed the matter and declared that technical errors in the returns of the municipal officer should not be allowed to negative clearly expressed popular will.

The Governor and his councilors replied that they had no option by statute except strictly to enforce the ballot laws, and that, therefore, they should not count in defective ballots—Supreme Court or no Supreme Court.

Whew!

Newspapers, orators, even pulpits volleyed and thundered pro and con for the three months that elapsed between the popular election and the assembling of the Legislature, early in January. Governor Sterl Southwick and his councilors tied on their little bonnets, and faced the gale, mouths shut and eyes open. They declared that they owed as much to their party as the Republican party—including the judges—owed to theirs. And—well, there we were that January evening, we Republicans, sitting out in a cold, cold world around a State House filled with National Guardsmen of whom Governor Southwick was commander-in-chief by the law and the Constitution. He certainly had his nine points of possession—and the "militsh" seemed to be point ten.

I was all the time wishing I was back home again, listening to the clack of my five-sett woolen-mill instead of the hullabaloo in hotel offices.

I'm not a politician—I'm a business man, a mill man, and I never had been in the Legislature until that session. They nominated me when I wasn't looking, anyway, and I wouldn't have let 'em do it if I'd known what sort of a bull-killing I was going down to. But we've got a backwoods county our way that's all Republican except for a few mossbacks who are still voting for Andrew Jackson, and the boys wanted me to stand for Senator, and it was easier to take the job than it was to turn 'em down.

I had been in the State capital twenty-four hours when the news was circulated that United States Senator Phineas Bayne had "lighted in our midst," like an eagle settling into a poultry yard. I had been fairly cool and collected until then, but if there was going to be any explosion, as was hinted, when the State's great Republican boss bumped into or torpedoed the Governor who had said, "Pooh-pooh!" to the Supreme Court, why, I wanted to be near enough to see the fireworks without any flying pieces hitting me.

Therefore, after supper, I lighted my cigar, so as to avoid being asphyxiated by other folks' cigars, and started out of my quiet boarding-place to make a round of the hotels.

When I went into the Lawrence House three men broke out of the crowd in the rotunda and all asked me at once

"Has Colonel Westcott found you?"

Westcott was chairman of the Republican State committee.

"Yes," said I; "he told the chairman of our county committee to make me run for State Senate, and I guess that's finding me."

"This is no time to joke," snapped one of the men. "He's been telephoning all over for you and he's got a dozen men out after you. You're wanted at headquarters, Room 18, upstairs."

And before I could say a word he gripped me by the arm and lugged me up and into the room with the same sort of pride that a cat shows in bringing a mouse into the parlor when there's company.

I had shaken hands with Senator Bayne at a State convention once and, of course, I knew him by sight—parted whiskers and all. He was standing in the parlor of the suite, rapping on a man's shirt-bosom with his eyeglasses and putting the talk to him steady as a walking-beam.

When they pushed me up to him he reached out, squatted my fingers hard, gave my hand two shakes—chug-chug! and pulled me away to another square in the carpet. He had his men stood around there in that room like so many checkers on a board.

"Senator Stearns," said he, "you are known as a man of ability and stamina, a true man to your party. Therefore, we have called you into council."

I never had heard any of that about myself before and I guess I must have looked surprised.

"This is an occasion when the party in its exigency expects every man to do his duty," went on the Senator, giving me a tag with his eyeglasses in such a queer way that I was sorry I didn't have my fingers crossed. As it was I decided that I was "It" for some reason and I began to get worried. "Westcott tells me—though, of course, I have frequently known of your sagacity and loyalty—that you are one of our most valuable lieutenants."

More worry in my heart and creeping all over my face!

I tucked my hands behind me to guard in that direction and backed away a little. No man ever put sugar on me unless he was getting ready to eat me.

"I have never been very much of a politician," said I.

"Very good," said the Senator with a strange look at me. "Westcott will explain." He left me on my square and moved away to another man nearer the king-row.

I couldn't see anything about my answer to him to suit him as well as all that.

"Stearns," whispered Westcott, "the Senator wants to meet Southwick in conference to-night and he wants you as his master of ceremonies. Now, hold on! Here's why!

"Not Even if it Means Civil War!"

We hear that you and Southwick were born in the same town and were boys together. You see the point now, of course. The Governor is in the State House and he won't come out. Any cut-and-dried officially arranged conference would spoil our plans. You're just the man to get him on the 'phone and arrange to call on him—you and a friend. All unofficial. See? No names. You and a *friend!* You're probably good friends with him still and you haven't been in politics long enough to make him suspicious."

He was pushing me along toward the telephone booth, but I've got a little muscle myself.

"Just one minute, Colonel," said I. "We use old horses for fox-bait up our way, too, but the horses are dead first."

"You aren't squealing the first time the party asks you to do something, are you?" he demanded, and he wasn't looking nearly as pleasant as he looked that day up to our county convention when he came home to dinner with me.

"Does Senator Bayne need a pennyroyal-district fellow, with wool cardings on his back, to pilot him into the State House to see Sterl Southwick?" I inquired. "You understand, Colonel, that Samson was a great man in his day, but if I had been one o' those foxes, and he had tied a blazing pine-knot to my tail, I'd have sat down and gnawed the string in two before I started for the Philistines."

"See here, Stearns," he said, spoiling the collar curl of my new custom-made coat—I hate to see goods handled that way—"we all want Senator Bayne to have a private—understand—*private* talk with the Governor for the good of all concerned. You know what Southwick's crowd is! If they got word that Senator Bayne wanted to go into conference with the executive there'd be a roomful of rag-chewers there. And you know how that crowd is trying to team him! They're making the Governor stick it out. They're looking for trouble. I tell you, Stearns"—his voice was a whisper and he was breathing damp and tickly into my ear—"if Sterl Southwick hadn't been laid down on by the gang and had it dinged at him that he'd be betraying his party if he compromised, he wouldn't be defying the Supreme Court. Southwick isn't a blackleg. He's mostly square. You can be doing him a friendly turn in this. We don't want to see him get hurt. All he needs is a talk with a big man like Senator Bayne to show him where he stands with the people. 'Tisn't party now, Stearns—it's the good name of our State! See? They've fitted red-glass spectacles on to Sterl Southwick's nose and now he's seeing blood on the moon. Help us get 'em off, Stearns! Now for the telephone! Yourself and *friend*, understand. No names!"

"Is that a square deal?" I wanted to know. "I've never put an 'all-wool' guarantee on to anything yet, Colonel, except the straight gooda."

"It's plain and simple diplomacy," he said. Then he put his tickly mustache to my ear once more. "Wouldn't you rather see compromise than civil war?" He was pretty excited and almighty solemn.

"I tell you we can't allow 'em to steal this State," he said. "Let the Senator and the Governor get together as the two men qualified and authorized to act for their parties, and none of that gang around to rub their ears or yell 'Ste' boy!' and I'll bet they'll get to gnawing off the same bone. They're too good men to want to have this State ripped open from end to end. But—and, Stearns, I'm telling you this because we need you and you deserve to see all the cards—if the conference doesn't fix it, there are two hundred granite-cutters from the Fells quarries who are ready to sweep through that State House, taking tin soldiers and brass politicians ahead of them in the rush. They're my men and I can depend on them. I tell you, Stearns, it's best to talk softly at first. I'd rather see the cudgel stay in the corner"

Well, the situation did seem to be squeaking as though it needed oil—and I'm quite a mechanic, myself

I didn't hang back much more. And the Senator came along again to my square and told me that the party needed all its good men like me, and I began to feel myself zig-zagging toward the king-row and I felt in a sort of a virtuous glow about getting my old friend Southwick out of the clutches of his rascally party, and, therefore, when they had finally arranged the connection, I took the 'phone.

"I'm his Excellency's private secretary. Who's speaking?" came a voice.

"Llewellyn Stearns—Lel Stearns!" and after that it was so easy that those standing around the booth thought it was all off, for I only stuttered something about a friend and coming up to make a call, and then hung up the receiver.

"Coax him a little! Coax him!" Westcott was hissing at me.

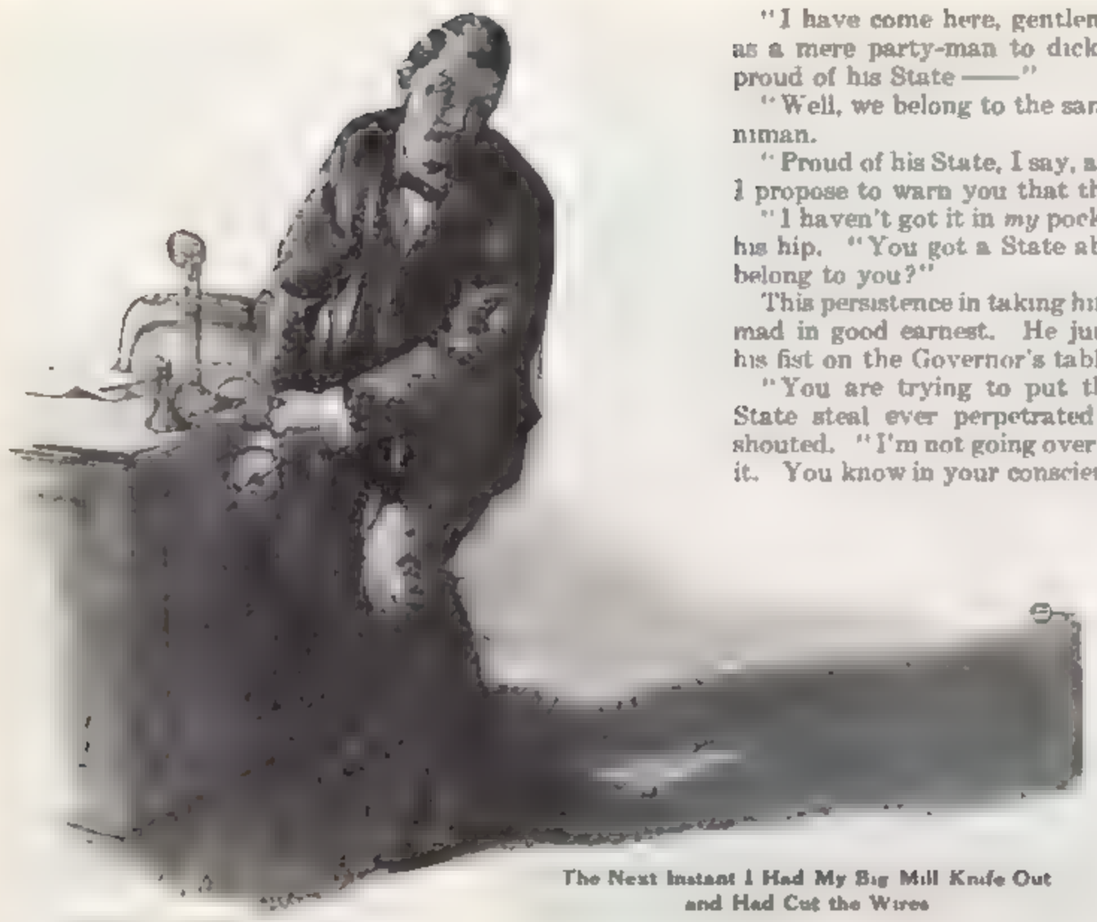
"What for?"

"You have let him turn you down without a wiggle," he whined.

"I guess you don't know Sterl Southwick," I said, feeling pretty good. "Why, he gave me a laugh and a hullo, and said: 'Come on!'"

Then two or three of them slapped my back because old friendship was outsticking the plaster of politics. One minute I felt like a bunco steerer. The next, like a mediator with a halo. At any rate, that was the way I found myself dumped into the sizzling political pot and melted over into a sugar-coating for a pill that Sterl Southwick wasn't thinking about taking, so I reckoned.

If I had had to fight with the guards in order to get into the State House, I wouldn't have felt quite so mean, but when the carriage jangled its bells under the granite arch there stood the State messenger of the Governor and council, and the sleepy-looking Guardsmen saluted as though we were nothing less than major-generals, and we went into the rotunda, past the rest of the soldiers, and up in the elevator and down the corridor to the executive chamber, and past the private secretary and through the big mahogany door



The Next Instant I Had My Big Mill Knife Out and Had Cut the Wires

into the Governor's own room without a hand lifted except to salute.

Then the messenger backed out and pulled the door shut softly and there we were!

Governor Southwick was straddling the back of a chair, his chin on the curved rail, his thumbs twirling—just the same old lazy Steri.

"I'm too tired to get up and shake hands, Lel," said he. "Shuck your peelings and squat. This isn't an official call, I take it, for I see you are wearing some of your Melton overcoating instead of your new Senatorial toga." And he cocked his head at me and winked, rolling his cigar to the other corner of his mouth. "There's Cupe," said he, ducking his head toward the sofa.

That's what we used to call Chester Benniman at school—'twas "Cupid" sometimes. He had one fat leg hooked over his knee and looking as though it would slide off any second, and was peering at me above the comfortable hemisphere of his waistband.

It was sort of an ideal hitch-up, that law firm of Southwick & Benniman: Southwick long as the moral law, slow, calm and caustic in cross-examination; Benniman round as a robin redbreast and as warming to a jury as a hot soapstone at the foot of the bed—and, moreover, a chap with one of those sixth senses that guesses ahead and sees around a corner.

"Isn't it just as I said, Steri?" chirped Benniman.

And then both of them looked past me and stood up and bowed together and said like a duet:

"Good-evening, Senator Bayne! Have a seat."

I was just about turning around to say something as best I could to introduce him, but now he pulled off his slouch hat and shucked himself out of his ulster, and pulled the tails of his frock coat around straight and shook hands with them, and they began chatting away as jolly as could be, apparently.

"It's good of you to drop in, Senator," said Benniman after a time, and his voice changed into a sort of gritty tone. "As soon as we heard you had struck town we began to think you might favor us—and when Lel, here, telephoned and mentioned 'friend' in a tone of voice that was a cross between a gulp and a hiccough I told Steri just what was coming. Lord, we knew old Lel wasn't doing a butting-in act of that sort just to pass the compliments of the Happy New Year." And he slapped my back and laughed.

Well, they had the Senator going at the start-off; I could see that. Had him going hard, and all by reason of josh. It comes it over your real stilted men. I have a dim idea that he thought they were going to gasp "Betrayed!" or something of the sort when he came out of his cocoon, and that he could then stick his hand into the breast of his frock coat and talk 'em right back into the dark corner.

But Governor Southwick passed the cigars and held a match to the end of the Senator's, and Cupe went back to his sofa and kept the josh going a while. After we had smoked a little, Benniman up and said as businesslike as an Aroostook squatter in a horse trade:

"Well, Senator, you'd better make your proposition first. We stand in the position of the folks that have the goods. We *will* sell a slice, but we aren't so fussy about it that we have to advertise, or make a discount, or even give trading-stamps."

The Senator buttoned his coat and straightened. I could see that the free-and-easy had raked him.

"I have come here, gentlemen, not as a politician, nor as a mere party-man to dicker. I am here as a citizen proud of his State——"

"Well, we belong to the same lodge, then," put in Benniman.

"Proud of his State, I say, and now on the eve of a crime I propose to warn you that this State cannot be stolen."

"I haven't got it in *my* pockets," drawled Cupe, patting his hip. "You got a State about *you*, Steri, that doesn't belong to you?"

This persistence in taking him as a joke made the Senator mad in good earnest. He jumped forward and pounded his fist on the Governor's table.

"You are trying to put through the most damnable State steal ever perpetrated in American politics!" he shouted. "I'm not going over the history of it. You know it. You know in your consciences that, if the popular vote is to be counted on the face of the returns, this Legislature is Republican. You are defying your Constitution."

The fat man on the sofa simply recrossed his short legs, rolled his head so as to catch the Senator's eye, and said:

"If you were on a returning board, bound by your oath to construe the law faithfully, Senator Bayne, I suppose you would admit returns not made up and sealed in open town meeting, not attested by the town clerk, not signed by the majority of aldermen and so forth. Hey? You would let 'em all in, law or no law?"

Benniman was cross-examiner. The Governor sat and smoked and smiled.

"I wouldn't strangle the popular will by technicalities!" stormed Bayne.

"You and your friends in the Republican State committee would make a blastnation fine set to execute the laws of your State," retorted Benniman. "It would be, 'That's law and 'tis right,' and 'That's law and 'tisn't right,' like the old woman's T. M.—'Tis Mince and 'Tain't Mince—marks on her pies. You're a gang to be proud of as construers—yes, and I'll include your six Republican judges, with their unconstitutional decisions. We can't be bluffed, Bayne, we can't be bluffed! Oh, shut up about your public opinion! We've got just as good a brand of it in our own party."

The Senator was purple around the wattles by this time—and not to be blamed. His tongue was getting away from him, too.

"We stand ready to prove that favored Fusion town officers were allowed to correct their returns!" he yelled. "So much for some of your technicalities!"

Benniman sat up on the sofa, his fat legs curled under him. He whipped two plump packets out of his inside pocket and spatted them across his open palm.

"There are sworn statements from Eben White and Joseph Minot, two of our Fusion representatives that we turned loose as decoys in this political duck-pond, testifying that they accepted each a bribe of one thousand dollars to refuse to take their seats to-morrow in order that we may lack a quorum for organization. There's the money tied up with each deposition. The deal was made by the chairman of the Republican State committee, in Room 18 of the Lawrence House, and I can show you the gimlet holes that myself and three others looked through to see it performed."

Well, sir, that seemed to flabbergast the Senator. I found out later that that bribing was a piece of Westcott's imprudence that he hadn't owned up to the Senator.

Be sure, now, that Chet Benniman saw the effect of the tap he'd given the gentleman from Washington.

"Oh, well, Senator," said he, as he tucked back the packets, "when you get ready to slit open laundry bags, we're right with you on the dirty linen business for the eyes of the public."

The Senator sat right down then and wiped off his face and blew his nose. His eyes kept winking hard like one of those patent cigar cutters.

Cupe lay back on the sofa and lighted his stub.

"Seeing as how we're all poor, weak creatures in this world, Senator, prone to evil as is the wind to blow, I really thought you had come here to-night along with our mutual friend—all so nice and quiet—to buy like a gentleman, not to bludgeon and rob. As I said before, we've got the goods. I'm going to be blamed frank with you now. It's hard work licking a United States Senator that his State is really proud of. We're proud of you—that's no taffy. We are! We can line our majority on State matters and keep their toes to the crack. We're sure of that much. We're taking some chances of starting a split that will knock out our slate if we try to down you. Now there's honesty and frankness for you! But, by the Eternal, unless you put your big stick in the corner we'll see what can be done between now and next Wednesday's election of a United States Senator!"

Benniman bobbed up and stuck his cigar straight at the Senator as though it were a pistol.

"With our party stirred up any more, with certain documents we have in hand, and with other things I can put my hand on that I will leave to your imagination, we can—Well, I won't threaten. But a great deal can be done! Understand? A great deal can be done. I'm frank. I'm almost willing to let you tell me that I'm magnanimous. You may think so on reflection. Now, there are my cards, face up. Show your hand, Senator."

I swear it was a tough place to put a man in. He had no business to be there, anyway—to be caught in such a pinch. But I suppose a man gets pretty ambitious by the time he's been a boss for a quarter of a century.

"We'll do you the credit of believing that you can run your own party," Benniman went on. "All is, we want you to run it a while. But don't try to run ours at the same time."

Still the Senator stared at the two of 'em, rolling his eyes as though they were marbles in a slit, with an occasional side glance at me. I couldn't tell by his looks whether he wanted me to rise up Willy Reilly and throttle 'em for him, or whether he wished that I had been hanging by the seat of my trousers to the iron fence of the Capitol grounds; the latter, I suspected.

I was rapidly coming to realize that there was something else to politics besides stump speeches and band music.

"I refuse to be a traitor," said the Senator, but in a little, weak, piping voice like a schoolboy reading from a speech of Patrick Henry's. And then he gave me a look to see how I was taking it.

I'll bet that the idea that he might by any possibility be turned down by the Legislature hadn't bobbed right up at him nakedly before. I think the big chaps at Washington who have been there a long time are pretty apt to turn the little end of the telescope on home matters. One reason is, they hate to worry—in Washington! Other is, one feels like that—in Washington! Ten feet high, you know.

"There's no traitor to it," snapped Chet. "There isn't any need of your party losing everything—Senatorship and all. That's what the proposition means."

The Honorable Mr. Bayne opened and closed his mouth just like I've seen a big salmon do when you had him on the bottom of the boat and were putting the foot rule on him. But sometimes one of those big salmon will all at once give one of the almightiest flops! I've known 'em to get away.

The Senator flopped.

"Governor," he yelled, "you never can stand up and take your oath of office, even if your cooked-up Legislature does elect you! The people of this State never will allow it—not even if"—he jumped a foot off his chair and thunked his fist on the table again—"it means civil war!"

Well, when the big fish comes up at you, you jump. Even Governor Southwick kicked out his long legs pretty suddenly for a cool man. Cupe lifted back his foot that had dropped off his fat knee and replied:

"I suppose now you are mentally lining up those drunken granite men your State committee has yarded. Oh, we know all about 'em, Bayne. At daybreak to-morrow four machine guns will be posted at the four entrances of this State House, and if the Republican party wants to be responsible for any mob attacks on the property of the State, protected by State Guardsmen, why, bring on your mob!"

Now the granite men, as I could see, must have been a profound committee secret. The Senator sat down and began to open and shut his jaws once more. I wondered whether there were any more flops left in him.

The way the thing was hanging just then, there didn't seem to be anything for me to say. Never before in my life had I been quite so close to a "practical politics" machine when the belt was on the power pulley and all the wheels were whizzing. I have seen folks stick their fingers into machinery they didn't know anything about.

As for me, I sat there and held my hands in my pockets.

But with the gaff in him as far as it seemed to be just then, the Senator flopped again.

"It can be shown," he gritted, "that certain Fusion town officers were secretly given a chance to rectify technical errors and make their returns valid—and that Republican towns were kept in the dark."

"You're repeating yourself, Senator," drawled Chet. "Don't get rattled. It can also be shown that Andy Westcott has tried to bribe town officers to testify to that effect—and just that one prick makes your old wind-bag mighty flabby." He snapped his cigar ashes into the nearest waste-basket. "We've got some more of that kind of money tied up in labeled bales, along with the proper affidavits."

Senator Bayne scruffed his hand around at the back of his neck where he was doing the most of his blushing, and then crossed and uncrossed his legs a half-dozen times as though his anatomy didn't seem to fit together as comfortably as usual. He looked at me some more, but not having anything especial to say I didn't say anything.

It was rather embarrassing all 'round.

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"Has old Pod McClintock been to Heaven again recently?" asked the Governor of me, grinning over the back of his chair as he used to when he was a boy. Old Pod is one of the local characters in our town who has epileptic fits once in a while, and comes out of 'em and allows to inquiring friends that he has been to Heaven.

He went on: "Do you remember that time Pod had a running fit and butted into the barb-wire fence, and what he said about falling in with the Old Scratch on his way back from Heaven?" The Governor hooked his chin over the chair rail and looked down and chuckled. "Pod allowed that he ——"

"What you propose to me, gentlemen," broke in Senator Bayne, who had been chewing on a spill of whisker very hard and looking up at the ceiling, "is nothing but up-and-down betrayal of my associates."

"Save the second verse of the Betrayer's Lament and sing it to Andy Westcott," drawled Benniman. "Don't you suppose we know that you're planning to dump Chan Estes and make Wils Wellington your legislative candidate? Oh, aho! Senator."

Chandler Estes had been the straight Republican candidate at the polls, and he had been forced on to the machine crowd at the State convention by the Grange influence that had at last got up and howled too loudly to be misunderstood. The machine Republicans now evidently saw their chance to side-track Estes, who had been making all kinds of reform talk since election, and handle the Legislature by machine methods for a regular machine man. Wellington had run as an Independent Republican, and now I saw the whole deep plan. His running had split the vote so that there was no choice at the polls—as the machine, sniffing a general mix-up in State parties, had no doubt planned.

By law, the House was required to select from the candidates voted for at the popular election two names and the Senate was to elect one of these for Governor.

"It will be a slim crowd of you inside fellows who'll assemble along the Wall of Wailing to mourn over the dashed hopes of the dear majority after you get Wils Wellington behind that table, there, with a bottle of corporation ink in front of him."

I began to sit up and take a little special notice then.

"So they haven't taken you inside the stall where they have been currycombing the dark horse, Lel," observed the Governor, rolling his cigar to centre so that he could grin with both corners of his mouth. "As a fair-play chap and an old schoolmate of mine, what do you think of trying to substitute a ringer after the entries are closed?"

"I don't understand trot-horse talk as well as you do, Sterl, but if that scheme is going to be rung in on us country fellows it is—in the language that I understand best—using shoddy filling on good, wool warp."

I looked pretty hard at Senator Bayne.

"This is no place and time to discuss our party affairs, Brother Stearns," he said. "I simply want to say to you that you must not allow our enemies to influence you."

"They are going to try to elect Wellington, Lel—the ring push. Your friend, the Senator, doesn't dare to deny it. What do you think of it?"

"Deny that, Senator," I said.

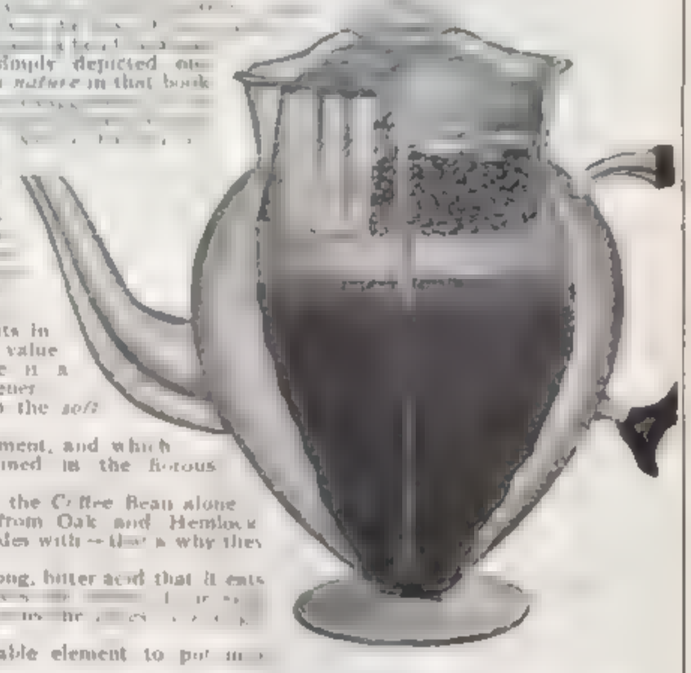
"Party exigencies"—began Senator Bayne, getting sort of nervous under my look. I was growing a little fussy. When the other side knows things before—well, Sterl put the words into my mouth.

"This seems to be news to our friend Stearns, Senator. That's queer. I supposed that he must be one of your right-hand Johnnies, seeing that you brought him along here. Or"—he grinned more broadly than ever—"is he only sugar-coating, to make the pill slide down easy?"

"Don't allow them to tease you," said the Senator, using a tone as though I were about nine years old and had run in from recess, blubbering for teacher. "You understand, of course, that in desperate cases sudden remedies need to be applied—and ——"

"I never heard of knock-out drops ever helping a sick party yet," I said, pretty hot; "and if Wils Wellington, with his sneak telephone charters to beat our farmer lines, and his law office a spawning-bed for all the fake corporations that run up out of the Big Water, isn't dope, then I don't know pants-cloth from cotton-sheeting. Sterl Southwick, there, a thousand times to Wils Wellington once, politics or no politics!"

Why Boiled Coffee Wrecks The Nerves



[illegible] Stevenson simply depicted one class of *human nature* in that book of his [illegible]

The good, or Dr. Jekyll elements in Coffee are those which have food value [illegible] These elements are contained in the *soft outside* part of the Bean.

The [illegible] Hyde element, and which [illegible] contained in the fibrous [illegible]

You know Tannin isn't found in the Coffee Bean alone. They also get this same Tannin from Oak and Hemlock Trees, and they use it to tan cowhides with—that's why they [illegible]

For, you see, Tannin is such a strong, bitter acid that it eats the flesh from the hides [illegible] behind [illegible]

Tannin is a pretty formidable element to put into your vitals, isn't it?

Yet this injurious acid is slowly eating out [illegible] lining of your stomach and injuring [illegible] in the stomach every time you drink coffee that has *boiled*.

Why [illegible] from the fibrous woody skin of the Coffee Bean in *which* it is contained! Can you wonder, then, that the kind of Coffee you drink—which contains Tannin because it is boiled—makes you nervous, affects your heart and causes indigestion?

Now, there *is* a way of separating the Good from the Bad in Coffee—the Jekyll and Hyde—a way which obtains all the delicious taste and fragrance and all the health-giving properties of real coffee without any of its [illegible]

And that way is—by making Coffee with water that hasn't boiled or isn't boiling.

For, as we have said before, boiling water *alone* can release the Tannin [illegible] is contained only in the woody fibrous skin of the coffee bean, but water which is *not* boiling, although it may be hot enough, [illegible] the woody fibre so as to extract the Tannin.

Now, the nutritious, healthful and taste-pleasing elements being all in the *soft outside* part of the [illegible] *not* boil to very readily extract every particle of them.

How is this done, you ask? Just note the illustration of the

"Universal" Coffee Percolator

To make coffee, first place the ground coffee in the cup at the top of the pot. Then fill the lower part of the pot with *cold water*.

See that tube extending [illegible] the bottom of the pot right to the top of the cup?

Well, this tube is hooked [illegible] its lower end there is a valve which [illegible]

As soon as you place the [illegible] with some of the water you have put there [illegible] valve at the lower end of the tube also contains water.

Just [illegible] the pot on a gas or any other stove [illegible] heat and the Percolator is ready for [illegible] the healthiest, most delicious cup of coffee you ever tasted.

* * *

You see, the heat turns the small bubble of water in the valve into steam almost immediately.

This steam forces the *cold* water in the tube into the cup [illegible] coffee grounds. Then this water [illegible] drips through the coffee in the cup into the pot beneath, carrying with it the Caffeine and other fragrant elements of the bean but never releasing the injurious acid—Tannin.

Because the beneficent and fragrant elements being in the soft part of the bean can be extracted with cold water, while the Tannin being in the hard or woody part of the bean requires boiling to extract.

Now, when all the water in the tube has been forced into the cup, the tube fills up again with cold water from the pot.

This process of forcing water into the cup containing the coffee keeps repeating itself [illegible] the waters in the pot gradually heats, *but never boil* before being ready to [illegible] the Tannin *need be* released [illegible] coffee is thoroughly made before steam is given off *none* of its strength and freshness is lost.

[illegible] ing all the [illegible] fragrant elements of the Coffee, and absolutely free from the injurious acids.

You can easily understand why, if you quit [illegible] coffee, as you must with all ordinary coffee makers and use only the Universal Percolator you will be able to drink all the rich, fragrant, beneficent coffee you want without ever [illegible] made nervous, bilious or dyspeptic.

Each Universal Percolator is made of pure Aluminum—has a glass top which enables you to tell accurately when the coffee is made—and a non-conducting, genuine ebony handle.

Your local dealer should have them in stock. They are sold at $3.00 to $5.00, according to size.

Be sure you get the Universal Percolator. Other Coffee Makers *boil* Coffee and extract [illegible] part of the bean.

We will [illegible] on receipt of price if no dealer [illegible] Coffee Percolator by the Universal Percolator Co., it also contains several practical and very fine recipes for making good coffee.

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[illegible] a few days ago and am delighted with it. [illegible] an alteration needed. This was my first [illegible] for your prompt care.

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"Sterl Southwick is a friend of mine," I said, "but that doesn't alter the fact that he's in a scheme to steal this State, and he's politician enough to find excuses for his crowd. Andy Westcott is politician enough to steal our party. But if you'd be willing to ride back to Washington this trip driving a tandem hitch of that kind, I'd reckon that a United States Senatorship would be proved to be the best bait the devil could use in his business."

I'd like to have on an asbestos phonograph record the language that was running around and around inside the Senator just then and that he was swallowing back. I could sell one of those records to every mule teamster in the country.

"What is your business, Stearns?" he asked, shoving his hands deep down into his pockets so that he wouldn't fall to choking me.

"I run a woolen-mill."

"It's a pity you aren't a tanner so that you could go and skin yourself and use the hide for New Testament bindings.

"Stearns, the man who let you into politics and the man who hoisted you on to my shoulders is more brands of a striped jackass than there are leaves in the dictionary, and as I never like to be too disagreeable to a man's face I'm going to let you guess how much of that applies to you. It is evident that I couldn't drill the idea of a political exigency into you with steam power behind a diamond point."

"Exigency!" I retorted. "There was a man up our way who called a skunk 'kitty,' but that fact didn't influence his wife's opinion any when he got home."

"No doubt you mean well," said the Senator, very sarcastic, "but so did the man who used a hatchet to swat a hornet on his brother's bald head—seeing that it's metaphor you understand best, like other savages I have met. If you mean to play politics with sugar-plums instead of chips from the bank, you've got to back away from the table. I turn you loose. Blat, now, all you want to. I'm too big for you. I don't fear your mouth. You don't stand for enough!"

He snapped his fingers under my nose, whirled, went back into the Governor's room and shut the door on me. If I'd had my hat and coat I would have left, and it's nine chances in ten that I wouldn't have said a word about the whole affair.

While I stood there wondering what to do the telephone on the secretary's desk gave a little click. That noise meant, of course, that some one was calling up on that line from the inner room.

I reckon Sterl Southwick didn't think I would ever be mean enough to eavesdrop at a telephone. But a course in practical politics changes a chap's nature mighty suddenly sometimes. I picked off the receiver like I'd pick a butterfly off a rose leaf—and that was carefully, I tell you.

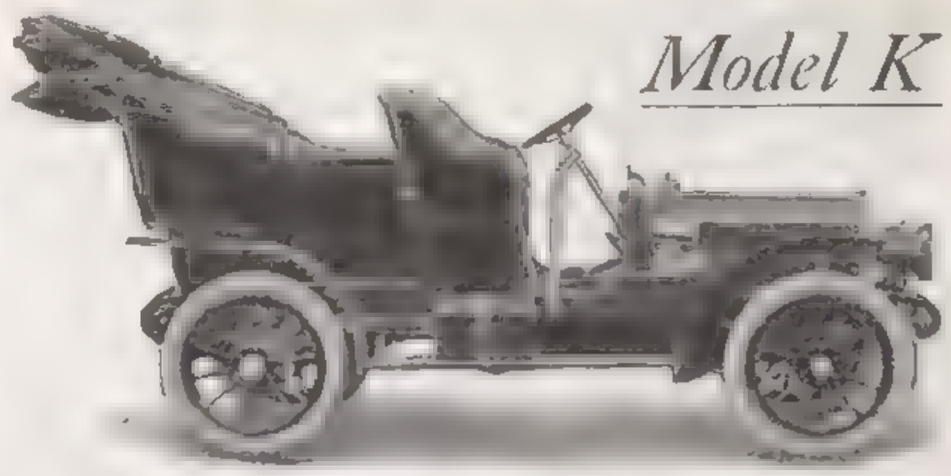
"The Adjutant-General's office! Call Captain Blake to the telephone," said the voice of the Governor. Then, so I should judge, he turned his head away, while waiting, and spoke to some one behind him:

"That's what I said before—morally rambunctious. One of the best fellows in the world, but has a lot to learn in politics. He's one of those dangerous, unknown quantities. I agree with you, Senator, that it's too bad for one badly rattled amateur to stand in a way to trig sane politics. If you're ready to trade we can't let him spoil it, much as I hate to do this. But it only means twenty-four hours up in the old library with a couple of good fellows to keep him company—the old Barrett case over again, and every one snickered at that as sick politics. I know Lel. He isn't nasty. He'll take his medicine. I'd know how to handle him when we let him loose. But it's politics before friendship to-night and until. Oh, hello, Blake!"

The next instant I had my big mill knife out and open and had cut the wires where they snaked under the desk's edge. The key was in the door of the Governor's room, on my side. I turned it on 'em. There were a plug hat and a sealskin overcoat—the Governor's, so I found out mighty quick, and all too soon—hanging behind the desk. I clapped on the hat and hooked myself into the overcoat, rushed out into the corridor and locked the door of the anteroom behind me.

I didn't bother with any elevator. I took the shortest way for outdoors, and that was down the broad main staircase of the State House.

(TO BE CONCLUDED)



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[illegible] from a lot of *needless* [illegible] a standing start, waiting for [illegible] a Winton [illegible] king" it at every stop.

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But, think what this self starting quality in a Winton Car *proves* for the Car Construction.

It proves almost *perfect compression* of Gas in the cylinders.

[illegible] electric s[illegible] *retained* [illegible] high compression.

Any flaw in the boring of the cylinder, or in the seating and fitting of the piston and its rings, would let the gas *leak out* shortly after compression if not [illegible]

This is where the Winton system of *grinding* [illegible] and of *boring* th[illegible] shows its great advantage.

In *boring* a cylinder, the thin walls are likely [illegible] portion, when it "springs back" again, after [illegible] tool has been withdrawn, leaves a permanent [illegible] pot, or *friction spot*, for the piston to chafe [illegible] with a leaky place on either side of it to lose compression.

And, wherever there is a *softer* spot in the [illegible] tool bores through that *less* [illegible] the pressure on that part [illegible] grinding places.

That creates a sort of *depression* in the wall of the cylinder, which lets gas escape past the piston.

• • •

But with *grinding* it is different.

Grinding cut a cylinder by rigs no *expansive* [illegible] walls,

use, instead of an auger that fills the whole interior of the cylinder [illegible] is done by a small [illegible] revolving a [illegible] but in an opposite [illegible] to that arm [illegible] grinding wheel thus follows the inside wall of cylinder, and cuts away the steel with [illegible] in an absolutely *true* circle.

[illegible] ces behind it a perfectly *smooth* non-friction, mirror surface, instead of the coarse wiry surface left by [illegible]

Every Model K Winton Cylinder is ground six to twelve hours with a Carborundum wheel in this painstaking and effective way.

That is why Model K Winton Cylinders *hold* the gas under high compression over night, so that the motor can be started from seat in the morning without cranking.

And a Motor that will *hold* its compression like [illegible] clearly utilizes *all the efficiency* of the [illegible] ers, and of the gasoline, electricity, and lubrication used.

A cylinder that won't hold its compression is like a leaky pail that you keep pouring gasoline into but can't keep full,—and gasoline costs money.

• • •

The cylinders of a *cheap* Car can't be *ground*, and so must be *bored* instead.

Because, *cheap* cylinders are made of comparatively *soft* metal.

[illegible] emery used in *grinding* would [illegible] metal, and become imbedded.

Then these grains would cut lengthwise grooves into the piston, when it worked up [illegible], so the gas would escape instead of being [illegible] compressed.

[illegible] Cylinders and Winton Pistons [illegible] of metal so hard, and so close textured, that even Emery could not become imbedded in it.

And Winton *grinding* leaves these diamond-hard cylinder walls in an absolutely "true" as smooth as glass condition, which eliminates friction, heat, and lost compression. The self-starting, and retained-compression, *proves* this beyond question.

[illegible] versal Couplings, and [illegible] are also *ground*, like the cylinders, on the new Winton Model K.

The result is more [illegible] of *efficiency* of power from Motor to Driving Wheels, much longer *life* to the Car, and great economy of Lubrication, Gasoline, and Repair.

• • •

[illegible] New Winton Model K [illegible] foot on a soft spot [illegible] ing a lever.

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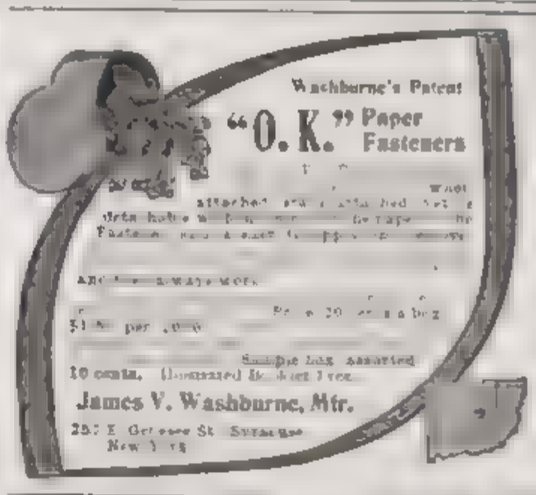

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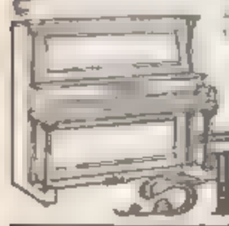

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The Bad Man

(Continued from Page 15)

The most dramatic feature in this somewhat monotonous record of violence was the fight at Blazer's Mill, about a mile from where the Mescalero reservations are to-day. There was a little crippled ex-sergeant by the name of Buckshot Roberts who was slow in leaving the country when ordered to do so. At the mill he met one day a dozen of the crack gun-fighters of the other faction. These came around the corner of the house and opened fire on him almost in concert. Standing in the open, Roberts shot the finger off George Coe, cut the pistol-belt off of Charley Bowdre with another shot, and shot Jack Middleton through the lungs. He shoved his rifle against the body of Billy the Kid, and would have killed him, but the piece failed to fire. Bowdre shot Roberts through the body, and the latter did most of his shooting after being thus wounded. Then he stepped into the house, picked up another rifle, and, at a distance of one hundred and forty steps, shot Dick Brewer square in the eye. He actually drove away the whole gang from the place, and took his own time to die, which he did on the following day.

There is only one single combat in the annals of border fighting which surpasses this, and that was the Wild Bill fight with the McCandless gang in which Bill killed eight men. Bill, however, was in a house and Roberts was in the open, fired upon by twelve men, the best gun-fighters in the West. Johnny Patten, a sawyer at the mill, says he made a coffin and buried Brewer and Roberts both in it. The tradition at Blazer's Mill to-day runs contrary to this, and assigns to these two separate graves. The little cemetery at Blazer's Mill is also grass-grown and without headboards, although Roberts deserves a better fate than to be forgotten.

The little placita of Lincoln, which made the centre of this cattle war, is in my belief the bloodiest spot of its size in the United States. Here one may still see the house where the last pitched battle between the Murphy and McSween factions was held. In this McSween, himself not a lawless man or a fighter, was killed, with Jose Semora and Francisco Romero and a Kansas boy, Harvey Norris; together with Bob Beckwith and Charley Crawford and a Mexican on the other side. It was here that Ighenio Salazar was shot and left for dead, some of the men on the opposing side jumping on his body to make sure that life was extinct. Salazar is alive to-day and speaks of the matter as something of a joke.

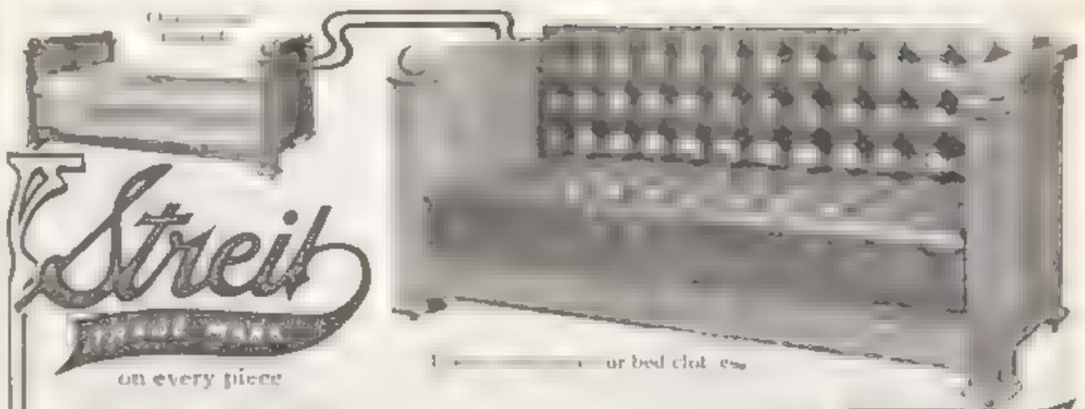
Thence down the Bonito to the Hondo every inch of the ground is bloody. There is not a ranch-house which has not a tragedy connected with its history. At one house on the Block Ranch, east of the Capitans, three bullet-holes through the kitchen wall are still regarded humorously by the inmates. It was only a case of one negro cook killing another, and the shooting was somewhat awkward. Again, in the approaches to the White Mountains there is a cañon, called Cherokee Bill Cañon, after a man who once lived there and was killed by his associate cattle-thieves on the principle that he could not talk if dead.

"I suppose there was some one killed in this house?" I remarked one day at dinner at a little ranch at the mouth of this cañon.

"No, not right in this house," remarked the hostess in perfect seriousness, "but just over there at the store you can see the bullet-holes in the door where one was killed. He was trying to be sort of bad, and I reckon he got what was coming to him. The clerk in the store shot him through the window."

At the settlement of White Oaks, Lincoln County, a mining camp of the early eighties, there was another storm-centre for the Lincoln County fighters. Jimmy Carlyle was killed near here by the Kid, and a great many other shootings mark the country thereabouts. Joel Fowler, hanged by a committee of citizens at Socorro in 1884, was a noted bad man in this part of the world. Fowler had killed perhaps a dozen men; he was very dangerous when drinking.

On the west slope of the White Mountains, on this same high and bloody plateau of the dry Southwest, the unbroken record of homicide continued. Sometimes tragedy was marked with mystery in that land; thus it is not known to-day who killed Judge LaFountain and his eight-year-old son at the foot of the White Sands, west of Tularosa. The whole country thereabouts was practically without law for many years, and



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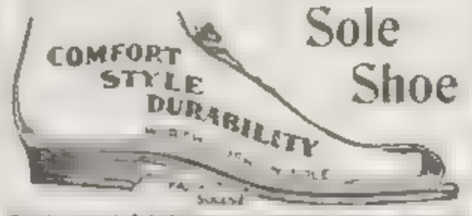

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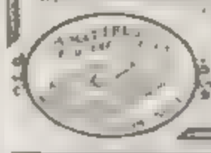

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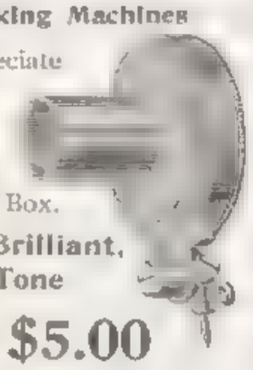

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men comfortably killed each other for half a generation, until at length the uproar of their factional fighting called the attention of such authorities as existed. There was some sort of machinery of the law, but it was weak in its executive arm. The arrival of Pat Garrett at Fort Sumner in February, 1878, was the first actual beginning of the reign of law along the Pecos. He killed the Kid in July, 1881, and kept up the campaign until the bad men either permanently quit killing or left the country. Texas in the days following the Civil War was a vast and little-settled country, and the absence of any proper machinery of the law left it a great breeding-ground for bad men.

A Goliad County man well known around San Antonio was Alfred Y. Allee, long recognized as exceedingly dangerous when drunk, and the killer of several men in lower Texas. Allee once held up a friend of mine in San Antonio and ordered him to join him in his festivities. "That was the only time in my life I didn't want to take a drink," said the victim, "but I took it like a little man. I went out and got my shotgun after that, but changed my mind about it. I was pretty sure some one else would kill Allee before long, anyhow." This prediction came true. Allee was killed in 1896 by the city marshal of Laredo, Joe Bartelow. He was "hurrahing the town" and had to be killed. Bartelow shook him by the hand, then threw his arm around his neck, and cut Allee to pieces with a knife. Better luck than this came to that little human tiger Tumlinson, of South Texas, whose victims made an unknown tally, probably about a couple of dozen. Tumlinson was an officer of the law sometimes, and sometimes against the law. He was a wonderful shot with rifle or revolver. My recollection is that he committed suicide, killing his wife and himself.

The Indian Nations furnished a large number of men as bad as the worst. The Dalton gang make a case in point. Emmet Dalton, shot pretty much out of alignment, has time to think over matters in the penitentiary. The same may be said of Bob Cook, one of the two Cook brothers, nervy gun-fighters in their time.

Cole Younger and his gang were robbers, but game men, and pretty bad. In the fight after the Northfield bank robbery, in Minnesota, Cole Younger and his brother each had a right arm broken and fought with their left hands. Cole was shot [illegible] times before he surrendered. No one knows why he was not killed. The Earpp brothers, somewhat known in the West, came from Illinois originally. Virgil Earpp was killed not long ago in Arizona. The survivor, Wyatt Earpp, is known as far west as the Pacific Coast.

The James boys were robbers as well as killers. Were they game? A man who knew them both very well said that Jesse James was a good pistol shot, but that he was not quite clean game. There were times when he would back out. Frank James, however, he held to be absolutely game. Frank James, paroled out, is at large to-day and a good citizen enough. He is sometimes seen around the race-tracks, a bit bent now and getting along in years.

There have been great robbers, great bandits, in the history of the West from the earliest days down. Thus Big Harpe and Little Harpe, of early Illinois, were desperadoes who killed for easier robbery; and so was that shrewd and bloodthirsty bandit Murrell, whose secret and widely extended band terrorized the lower valley of the Mississippi. These men were [illegible] and the bandit who killed for money is not properly to be classed with [illegible] the West, the man who began by exercising his undelegated personal rights. WILD BILL, Ben Thompson, Billy the Kid, all these, if choice be insisted upon, offer more satisfying figures than members of organized gangs of robbers.

The bad man as a specialized product of the West is past and gone long ago. On the whole, there are easier and better ambitions than that of being a bad man. No profession, indeed, is more ill rewarded. The West, if for a time it roughly accepted its leading citizens with a gun, was not kind to them in the end. The best a bad man can hope for is death, and after death forgetfulness. The history of the unmarked graves wind-swept, grass-grown, forgotten, of some of the worst bad men the world ever knew, offer proof enough that the emoluments of the profession are not commensurate with its risks. Congress is better, or even Wall Street.

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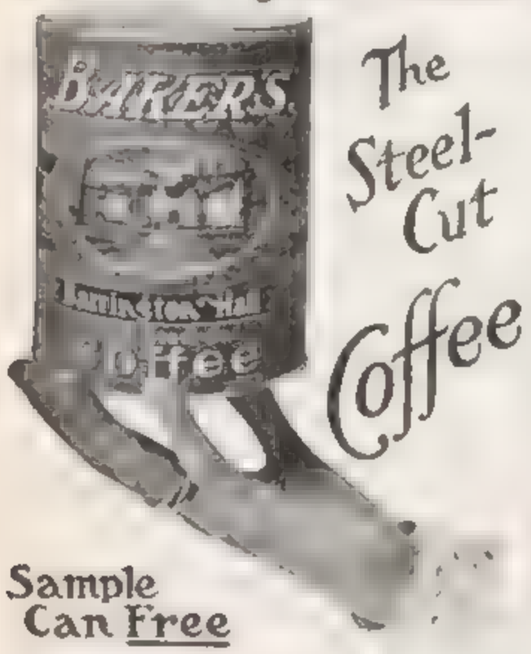

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CLARK'S CRUISE TO THE ORIENT

ARABIA

LADY BALTIMORE

(Continued from Page 11)

"The skull of what animal is that, if you please?" he demanded; and as, of course, I did not pretend to know, he answered, "That is the skull of the Aryan, the European human, a male specimen. It might be your skull."

He now hurried me through a back door into a dark little room, where he turned up the gas, and I saw shelves as in a museum, to one of which he led me. Upon it were a number of skulls in admirable condition and graded arrangement, beginning to the left with that flat kind which one associates with gorillas, and ending at the right with the domelike variety that possesses the lighter jaw, and which he again announced to me as "the Aryan skull: your skull."

"Interesting," I murmured. "I'm afraid I know nothing about skulls."

"But you shall know someding before you leave!" he exclaimed, and this time it was not the book, but a specimen, that he pushed into my passive grasp. He gave it some long scientific name, not anthropoid, but of that general sort you meet with so much in museums, then took it away from me, gave me another, and, while I obediently held it, pronounced another long scientific name, worse, it seemed to me, than its predecessor.

"And what is the translation of that?" he demanded excitedly.

Of course I did not know, and I said, as I replaced this skull beside the first one, that the difference in their names was the only difference I saw between them.

"You have said it yourself!" he exclaimed with extraordinary triumph. "The translation of that last is *South Carolina nigger!*" And then, almost as if he were going to break into a dance for joy, he took the Aryan skull, and the other two, and set the three together by themselves, away from the rest of the collection. The picture which they thus made spoke more than all the measurements and statistics which he now chattered out upon me, reading from his book as I contemplated the skulls. There was a similarity of shape and size, a kinship there, which stared you in the face—but the brotherhood was between the ape and the African; the true gap was between them and the Aryan: he was, possibly, their fourth cousin.

The collector touched my sleeve. "Have you now learned someding about skulls, my friend? Will you invite those Boston philanthropists to stay home? They will get better results in civilization by giving votes to monkeys than teaching Henry Wadsworth Longfellow to niggers."

Retaliation rose in me; I was minded to tell him that I was no philanthropist, and no Bostonian, and that he need not shout so loud, but my more dignified instincts restrained me. I withdrew my sleeve from his touch—it was this act of his, I think, that had most to do with my displeasure—and merely bidding him observe that the enormous price of the kettle-supporter had been reduced for me by his exhibition to a bagatelle, I left the shop of the screaming anatomist—or Afropath, or whatever it may seem most fitting that he should be called.

I bore the kettle-supporter with me, tied up objectionably in newspaper, and knotted with ungainly string. Twice, as I went, I broke into laughter over my interview in the shop, which I fear has lost its comical quality in the relating. To enter a door and come serenely in among dingy mahogany and glass objects, to bargain haughtily for a brass bauble with the shopkeeper, and to have a few exchanged remarks suddenly turn the whole place into a sort of bedlam with a gesticulating scientist dashing skulls at me to prove his fool idea, and myself quite furious—I laughed more than twice—but, by the time I had approached the neighborhood of the carpenter's shop, another side of it had brought reflection to my mind. Here was a foreigner to whom slavery and the Lost Cause were nothing, whose whole association with the South had begun but five years ago, and the race question had brought his feelings to this pitch!

I now turned a corner which took me abruptly, as with one magic step, out of the white man's world into the blackest Congo. Even the well-inhabited quarter of Kings Port (and I had now come within this

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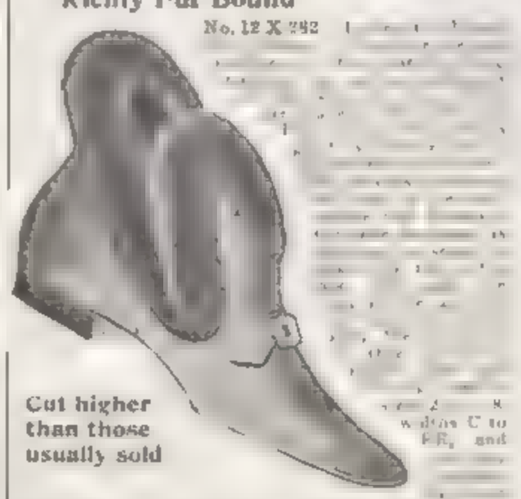

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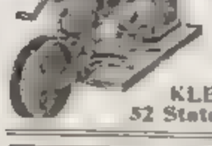

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limited domain) holds narrow lanes and recesses which teem and swarm with negroes. As cracks will run through fine porcelain, so do these black rifts of Africa lurk almost invisible among the gardens and the houses. The picture that these places made, tropic, squalid and fecund, often caused me to walk through them and watch the basking population; the intricate, broken, wooden galleries, the rickety outside staircases, the red and yellow splashes of color on the clothes-lines, the agglomerate rags that stuffed holes in decaying roofs or hung nakedly on human frames, the small, choked dwellings, bursting open at doors and windows with black, round-eyed babies as an overripe melon bursts with seeds, the children playing marbles in the court, the parents playing cards in the room, the grandparents smoking pipes on the porch, and the great-grandparents upstairs gazing out at you like creatures from the Old Testament or the jungle. From the jungle we had stolen them. North and South had stolen them together, long ago, to be slaves, not to be citizens, and now here they were, the fruits of our theft; and for some reason (possibly the Teuton was the reason) that passage from the Book of Exodus came into my head: "For I the Lord thy God am a jealous God, visiting the iniquity of the fathers upon the children."

These thoughts were interrupted by sounds as of altercation. I had nearly reached the end of the lane, where I should again emerge into the white man's world, and where I was now walking it spread into a broader space with ells and angles and rotting steps, and habitations mostly too ruinous to be inhabited. It was from a sashless window in one of those that the angry voices came. The first words which were distinct aroused my interest quite beyond the scale of an ordinary altercation:

"Calls you'self a reconstuckted niggah?"

This was said sharply and with prodigious scorn. The answer which it brought was lengthy and of such a general sullen incoherence that I could make out only a frequent repetition of "custom house," and that somebody was going to take care of somebody hereafter.

Into this the first voice broke with tones of highest contempt and rapidity:

"*Presidont* gwine to gib brekfus' an' dinnah an' suppah to de likes ob *you* fo' de whole remaindah ob youh wuthless nat'ral life? Get out ob my sight, you reconstuckted niggah. I come out ob de St. Michael."

There came through the window immediately upon this sounds of scuffling and of a fall, and then cries for help which took me running into the dilapidated building. Daddy Ben lay on the floor, and a thick, young savage was kicking him. In some remarkable way I thought of the solidity of their heads, and before the assailant even knew that he had a witness, I sped forward, aiming my kettle-supporter, and with its sharp brass edge I dealt him a crack over his shin with astonishing accuracy. It was a dismal howl that he gave, and as he turned he got from me another crack upon the other shin. I had no time to be alarmed at my deed, or I think that I should have been very much so; I am a man above all of peace, and physical encounters are peculiarly abhorrent to me; but, so far from assailing me, the thick, young savage, with the single muttered remark, "He hit me fust," got himself out of the house with the most agreeable rapidity.

Daddy Ben sat up, and his first inquiry greatly reassured me as to his state. He stared at my paper bundle. "You done make him hollah wid *dat*, sah!"

I showed him the kettle-supporter through a rent in its wrapping, and I assisted him to stand upright. His injuries proved fortunately to be slight (although I may say here that the shock to his ancient body kept him away for a few days from the churchyard), and when I began to talk to him about the incident he seemed unwilling to say much in answer to my questions. And when I offered to accompany him to where he lived he declined altogether, assuring me that it was close, and that he could walk there as well as if nothing had happened to him; but upon my asking him if I was on the right way to the carpenter's shop, he looked at me curiously.

"No use you gwine dah, sah. Dat shop close up. He not wukkin' dis week, and dat why fo' I jaw him jus' now when you come in an' stop him. He de cahpentah, my gran'son, Cha's Coteswuth."

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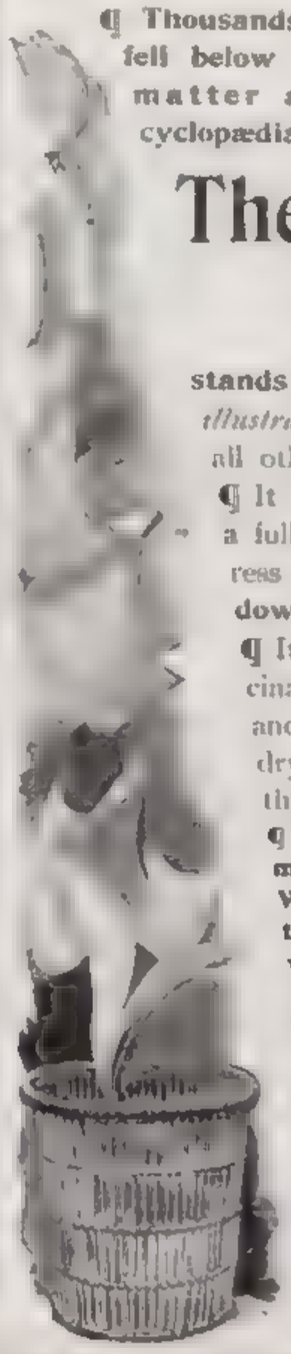

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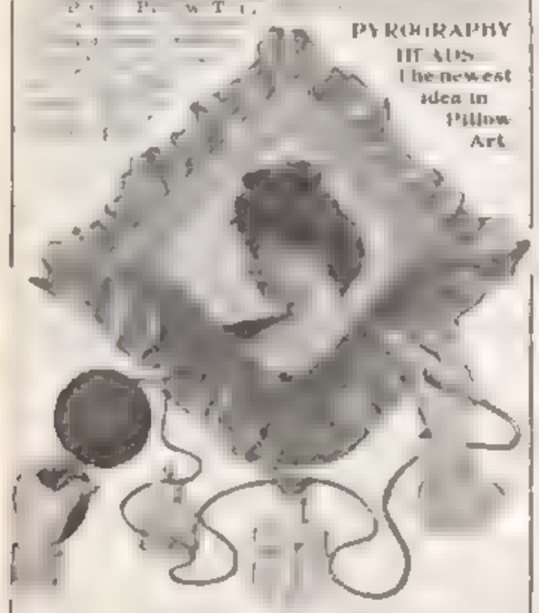

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On the Trail of the First Trust

(Continued from Page 9)

The American Fur Company had been sufficiently successful in St. Louis; it had gained its foothold on the upper Missouri. But there it found a different breed of rival in possession, one which did not feed from the lower river, and which had received its training in the one academy which Astor himself had thought it worth his while to go to school in. The Columbia Fur Company had as its managers Kenneth McKenzie and William Laidlaw, both former "Nor'-westers." The envoys of the "A. F. C." made their acquaintance, studied their general plan of doing business, noted the rapidity and thoroughness of the progress they were making, and reported accordingly.

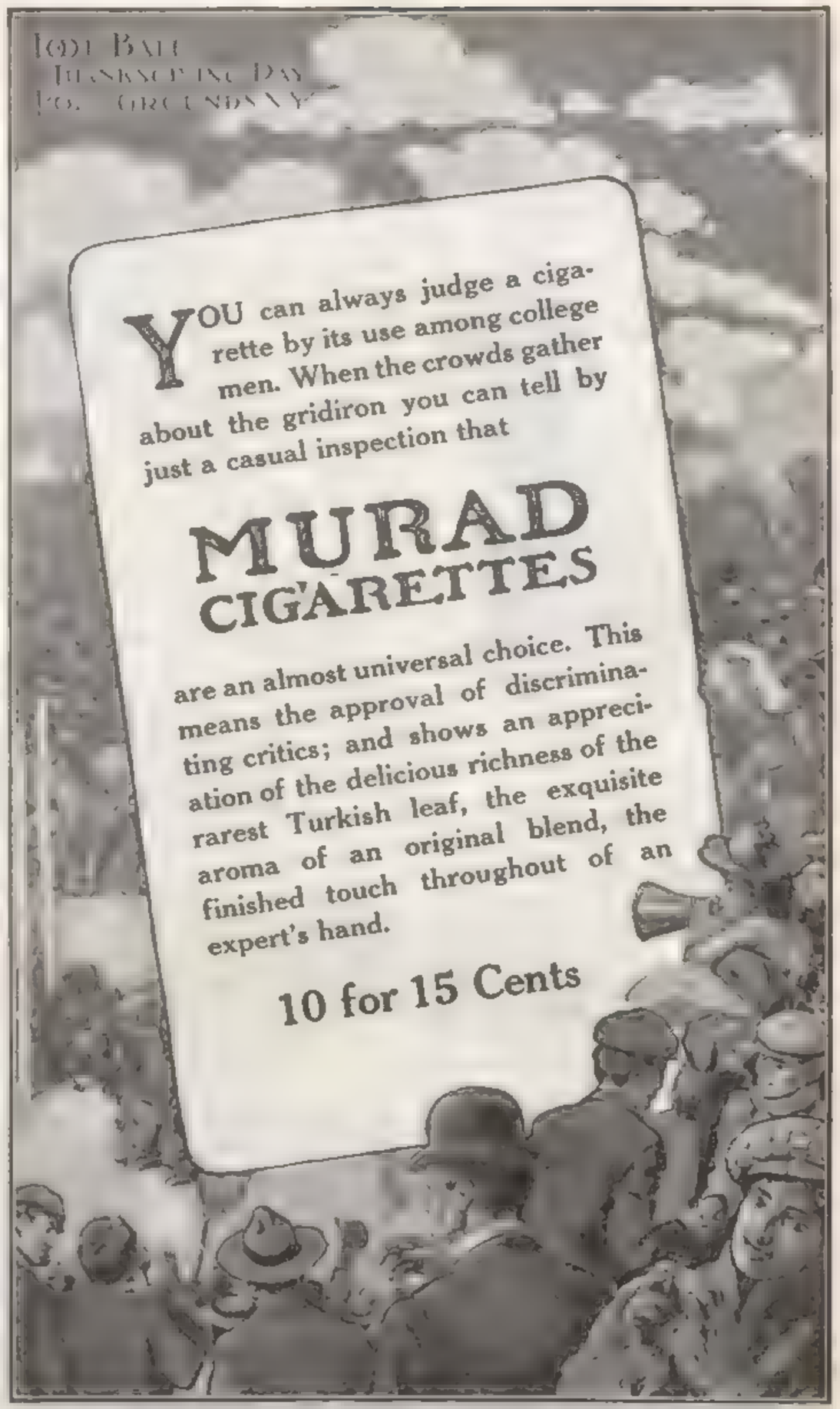
Now mark what happened. This time there was no attempt at all to make fluid beef of the lesser rival. This was not the occasion for another subsidiary company. Nor did the "A. F. C." attempt by its overweening capital to crush out the Columbia "partisan." For to Astor and Crooks the strength of the latter corporation was just the brains of Laidlaw and McKenzie; and though you may turn brains by capital, you cannot annihilate them. The American Fur Company "desire to unite" with the "C. F. C." and that upon the frankest and most open basis. And when the Scotchmen cautiously consent, Crooks' letter of instructions to P. D. Papin, his sub-lieutenant empowered to act on this occasion—particularly after we have seen certain preceding letters of instructions—is one to give us pause. All the American Fur Company posts and forts that might appear to have been established in opposition to the Columbia Fur Company are to be given up. And —"you will deliver to Mr. McKenzie or his agent the whole of our property at the different posts, with all the books and papers appertaining thereto, and you will direct our people to obey him in all things. . . . *You will give him all the information you can relative to the property, the condition of our business, the nature and state of the accounts, and the character of our people individually.*" I believe this is what in 1905 is known as the "new diplomacy."

The American Fur Company was successful. "Two gods and a goddess" could not have held it back. Step by step it possessed the land, first the great rivers that gave access to it, and then the great tributaries. It advanced, always preceded by its skirmishers, from stream to stream, to the uttermost beaver meadow. Its profits attained annually to three, and four, and five hundred thousand dollars, amounts which are little enough to us, but were fabulous in the St. Louis of three generations ago. But it matters little what it made. It is better worth our time to watch it while at work.

We find that though it squeezed dry and threw away company after company which had been "adopted," it never threw away a good man if he gave evidence of being the sort of man who would do "business" for it. The Chouteaus and Prattes and Cabannes had fought it from the beginning; but they all provided it with new lieutenants. McKenzie became a kind of proconsul in the upper Northwest.

In 1831 there was still beaver country which was known only to the old "Rocky Mountain" men. To learn it, Messrs. Vanderburgh and Drips, two "Company traders" (by now there was only one company), resolved to follow Bridger and Fitzpatrick of the "R. M. F." until they had nothing more to get from them. After months of that, the latter offered in desperation to divide the country with them; but they would not. Then those "Rocky Mountain" men determined that their trackers should rue their tracking very ill. They took them across the trail of a Blackfoot tribe at that time on the war-path. Vanderburgh was killed, and old Bridger received three inches of iron arrowhead in his back; but he always held that it had been cheaply gained.

Until the same year, 1831, with the Piegan division of the Blackfeet no company other than the Hudson's Bay had been able to open trade. In that year a "Company's man" named Berger journeyed to their principal encampment—when his packmen and *voyageurs* turned back in terror—and,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upon promise of presents, induced some of their chiefs to go with him to the nearest "A. F. C." fort. He pledged his scalp to them if the march should take a day longer than he had said it would. When the last day came it was plain, too, that those Piegans intended to be warriors of their word. But they made the fort on schedule time, and Berger was accordingly exalted.

J. P. Cabanne, once his own master, but now an agent with the "Upper Missouri Outfit," as the Columbia Fur Company had been rechristened, ruined himself by his zealousness for the "Company." During those years the Washington Government had been waging a continuous war to keep liquor out of the Indian country. It watched the "A. F. C." most strictly, and certainly the "A. F. C." needed watching. But not infrequently such sporadic rivals as still sprang up against it were able, by their very irregularity of movement, to get whisky up the river where the "Company" itself was foiled. Thus one Leclerc managed to pass Fort Leavenworth by night with two hundred and fifty gallons of alcohol in his craft, and this, by chance, was reported to Cabanne. He took a company of men and one of the cannon from the "A. F. C." post at Bellevue, waited for Leclerc at the nearest narrow waters, and, threatening to blow him to pieces if he dared to proceed, threw him with violence into irons.

In 1837, though smallpox was raging on the lower river, the "Company" boat proceeded upward, carrying the pestilence from village to village among the Indians. At Fort Union it obtains a start in midsummer. Charles Larpenteur, then in command, decides that the thirty squaws who are doing the rough work of the fort will take it, anyway; consequently he has them brought up and inoculated with living and unattenuated virus from Jacob Halsey, a clerk still ill with the disease. He does this in order to have whatever may happen happen quickly—"to have it all over and everything cleaned up before the Indians come in for the fall trade." Needless to say, the wretched women died of it almost to a soul, and they had believed that Larpenteur was protecting them. The malady was passed on to the Mandans and Assiniboines and Blackfeet, and killed more than fifteen thousand of them before the hideous blight was lifted.

One could go on to the stories of Indians incited to attack and pillage opposition traders, to the tales of "Company's" men who started for St. Louis with their paychecks, but who, for whatever reason, never arrived to present them. The Missouri's shores are full of such black and ugly lore. But we have proceeded far enough. The "Rocky Mountain" men continued to exist as a company until 1836. Another rival, Fox, Livingston & Co., supported by capital from New York, managed to carry on an intermittent struggle until 1845. But the "Company" had reached its zenith in the later thirties. In 1837 Astor stepped down from its presidency. Silk had shown signs of supplanting beaver among European hat-makers; and with the father of the "A. F. C." a very few cocoons were enough to permit the business Fates to do their prophetic spinning! His strong boxes were riveted more and more to the granite of New York real estate. It had taken him twenty years to bring his fur company to its fullest powers, and it lived for twenty-seven years thereafter.

It had no friends other than those few individuals who derived large profits from it. It was loathed by the majority of its own servants; they held with it only because they dared not desert. Faithful service had little consideration. It killed all individual effort. It made a principle of inequality in trade. And it implanted in the whole region of its activities that suspicion of all great corporations and hatred of every form and semblance of monopoly which have grown to-day into the strongest political force at work in the entire West.

It is more simple to be a hero-worshiper than to tell the truth. We bow before genius where we should see only the unfair and the tyrannical. Give a man too much power, and, whether he stands alone or is a part of one of these great corporations, you make him a danger to society. It is too simple an inference that, because only under the reign of law can a vast company have its life, within the law will it seek to live. One might say, indeed, that, though men as communities have created this "law," men as individuals or in corporations of self-interest are essentially and instinctively its enemies!

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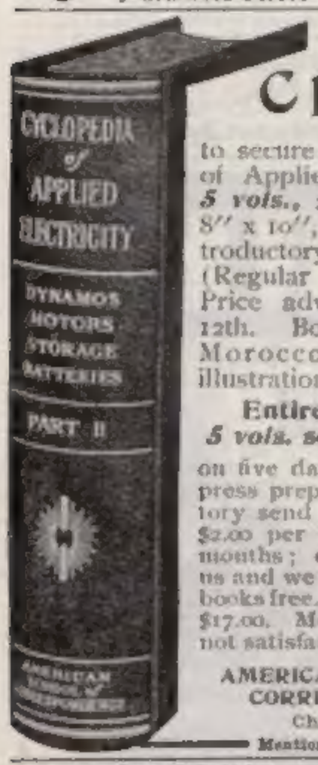

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William Travers Jerome

(Concluded from Page 5)

being tried, and it became evident that a certain judge intended to take a case from the jury at the conclusion of the prosecution's evidence. The trial had attracted a considerable amount of newspaper attention, and it was certain, if it resulted in a "turn out," that the office would be harshly criticised. Before the final argument, the assistant sought his chief in his office and said:

"Chief, I think Judge So-and-So is going to take this case from the jury. He is entirely mistaken as to the significance of the evidence, but I feel sure that he intends to do so."

"What's the matter?" asked Jerome.

"Nothing at all," answered the assistant, "except that the judge has got it into his head that the prosecution has not made out a case."

"I will come and argue the motion myself," said Jerome.

"There's no use in that," replied the assistant. "He is going to take the case away from the jury, anyway."

"That's why I want to argue the motion," said Jerome.

It was not until some time after Jerome had appeared in court, had made a strenuous plea for the prosecution, had been overruled, and the case dismissed, that the assistant realized that his chief's only reason for arguing the matter himself had been to relieve him from the odium which might attach to the result.

The quality in Jerome's official service which perhaps appeals most to the lawyers and merchants of the city is the business-like way in which he has organized and conducted his office. His predecessor, Mr. Philbin, who in his single year of office had accomplished much, bequeathed to him a standing calendar of eight hundred cases. At that time the pressure of business was such that an average interval of thirty days existed between the time when a defendant was indicted and when he was brought to trial.

Jerome saw the crying injustice of the situation of the poor man, unable to secure bail, who was forced to wait imprisoned in the Tombs until the district attorney could reach his case.

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It is the most significant tribute to his efficiency that to-day the average time between indictment and trial has been reduced to a period of less than a week, while the standing calendar has been reduced from eight hundred to about two hundred cases, which is practically as low a figure as is possible consistent with keeping the courts in operation.

It is characteristic of Jerome that he has never allowed his own interests in the slightest degree to affect the disposition of matters in his office. Few men in the face of the expectation of securing an honorable indorsement from a great political party, practically insuring his reëlection, would have hesitated to delay the trial of an official of that party for a week or two, until a bitter political contest should have been ended. Had he done so, no criticism of his course would have ensued, for it would have been regarded as a mere act of delicacy upon his part. Yet while the Republican County Convention, whose leaders had announced their intention to renominate him, was in the very act of assembling, he moved and forced to trial the case of Armitage Mathews, the secretary of the Republican County Committee in New York, which was instantly followed by the defendant's accidental or suicidal death.

"Jerome is crazy," the politicians cried.

But to Jerome it was enough that the defendant's case had been set for trial, that no proper excuse for ad ournment existed on either side, and that the public interests demanded that the calendars should be disposed of.

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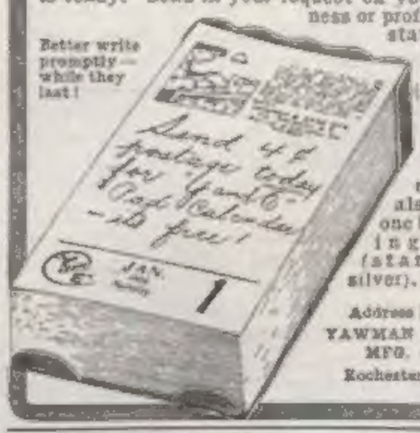

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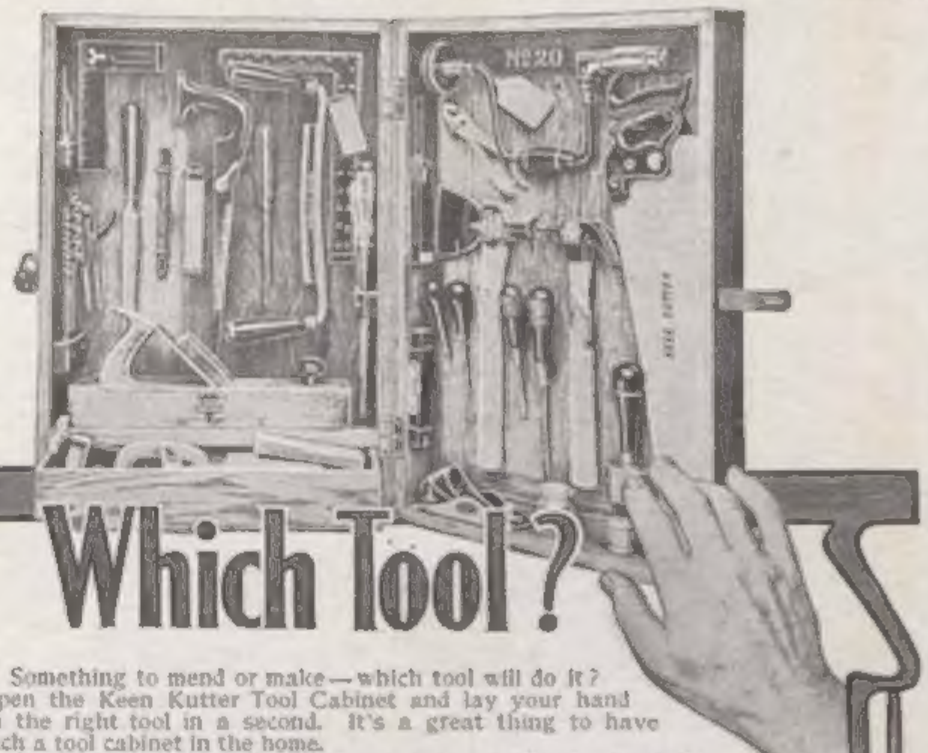

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